

SECOND ANNUAL REPORT.  
BOARD  
OF  
INDIAN  
COMMISSIONERS.  

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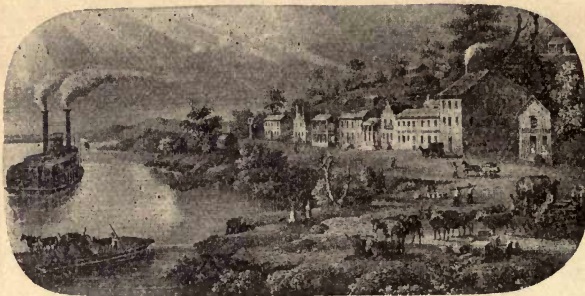
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"Less than a generation will see a great city on these hills"—  
Thomas H. Benton



1852

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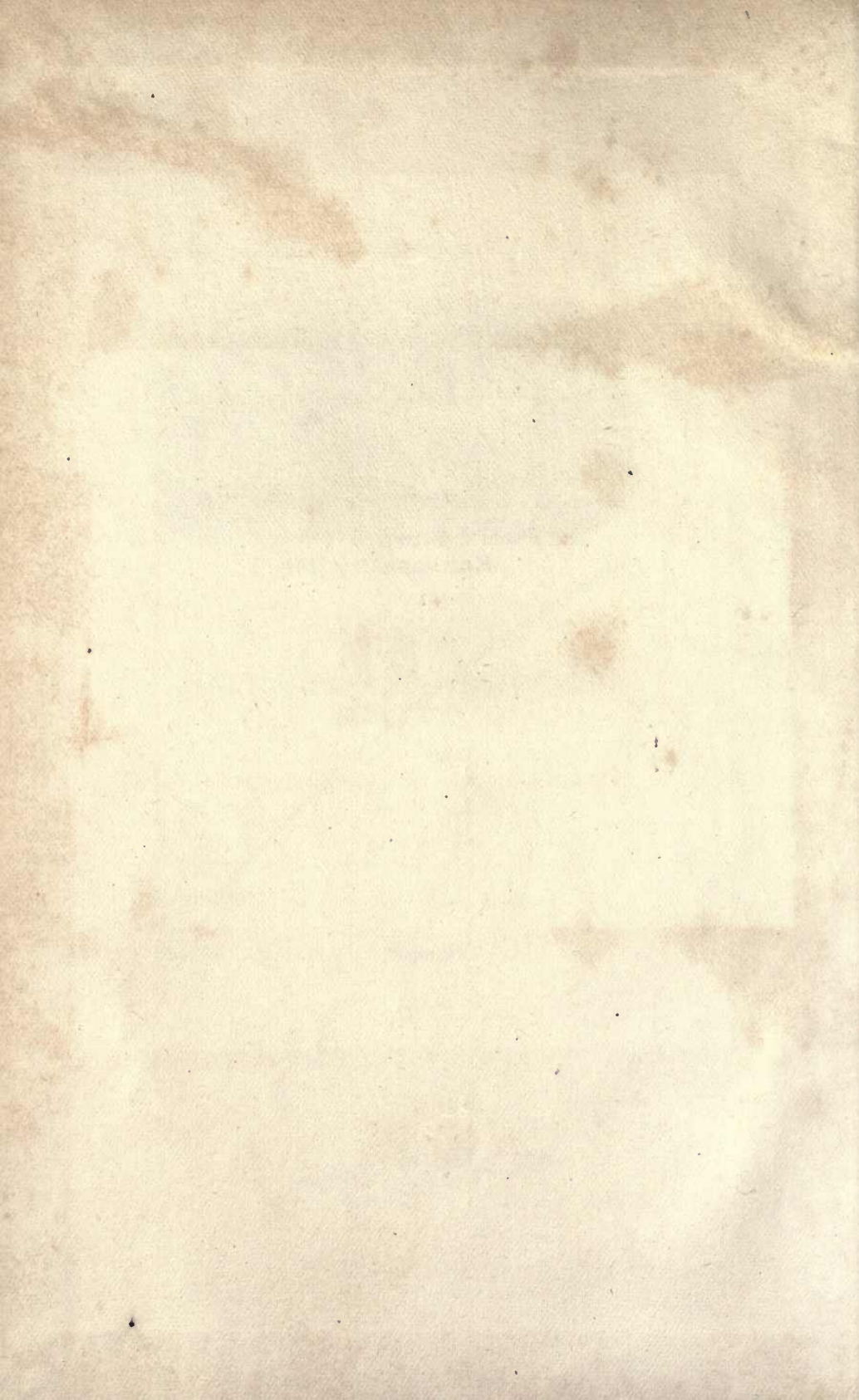
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THE INDIAN GOVERNMENT

THE PRESIDENT

THE YEAR 1916

THE GOVERNMENT

SECOND ANNUAL REPORT

OF THE

BOARD OF INDIAN COMMISSIONERS

FOR THE

SECRETARY OF THE INTERIOR

WASHINGTON

THE PRESIDENT

OF THE

THE YEAR 1880

W. A. R. H. N. O. R.

GOVERNMENT PRINTING OFFICE

1881



SECOND ANNUAL REPORT

OF THE

BOARD OF INDIAN COMMISSIONERS

TO THE

SECRETARY OF THE INTERIOR,

FOR SUBMISSION TO

THE PRESIDENT.

FOR

THE YEAR 1870.

Public Library  
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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
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U. S. DOCS.  
REF.

BOARD OF INDIAN COMMISSIONERS.

FELIX R. BRUNOT, Pittsburg, *Chairman*.  
NATHAN BISHOP, New York.  
ROBERT CAMPBELL, St. Louis.  
WILLIAM E. DODGE, New York.  
JOHN V. FARWELL, Chicago.

JOHN D. LANG, Maine.  
GEORGE H. STUART, Philadelphia.  
EDWARD S. TOBEY, Boston.  
VINCENT COLYER, New York, *Secretary*.

Act of Congress creating the board of Indian commissioners, approved by the President April 10, 1869.

SEC. 4. *And be it further enacted*, That there be appropriated the further sum of two millions of dollars, or so much thereof as may be necessary, to enable the President to maintain the peace among and with the various tribes, bands, and parties of Indians, and to promote civilization among said Indians, bring them, where practicable, upon reservations, relieve their necessities, and encourage their efforts at self-support; a report of all expenditures under this appropriation to be made in detail to Congress in December next. *And for the purpose of enabling the President to execute the powers conferred by this act, he is hereby authorized, at his discretion, to organize a board of commissioners, to consist of not more than ten persons, to be selected by him from men eminent for their intelligence and philanthropy, to serve without pecuniary compensation, who may, under his direction, exercise joint control with the Secretary of the Interior over the disbursement of the appropriations made by this act, or any part thereof, that the President may designate; and to pay the necessary expenses of transportation, subsistence, and clerk-hire of said commissioners while actually engaged in said service, there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of twenty-five thousand dollars, or so much thereof as may be necessary.*

Additional act of Congress continuing the board and defining its powers, approved July 15, 1870.

SEC. 5. \* \* \* and the commission of citizens, serving without pay, appointed by the President under the provisions of the fourth section of the act of April ten, eighteen hundred and sixty-nine, is hereby continued so long as the appropriation heretofore made for their expenses shall last. And it shall be the duty of said commissioners to supervise all expenditures of money appropriated for the benefit of Indians in the United States, and to inspect all goods purchased for said Indians, in connection with the Commissioner of Indian Affairs, whose duty it shall be to consult said commission in making purchases of such goods.

Additional act of Congress, passed March 1, 1871.

*Provided*, That hereafter no payments shall be made by any officer of the United States to contractors for goods or supplies of any sort furnished to the Indians, or for the transportation thereon, or for any buildings or machinery erected or placed on their reservations, under or by virtue of any contract entered into with the Interior Department, or any branch thereof, on the receipts or certificates of the Indian agents or superintendents for such supplies, goods, transportation, buildings, or machinery, beyond 50 per cent. of the amount due, until the accounts and vouchers shall have been submitted to the executive committee of the board of commissioners appointed by the President of the United States, and organized under the provisions of the fourth section of the act of April 10, 1869, and the third section of the act of July 15, 1870, for examination, revision, and approval; and it shall be the duty of said board of commissioners, without unnecessary delay, to forward said accounts and vouchers, so submitted to them, to the Secretary of the Interior, with the reasons for their approval or disapproval of the same, in whole or in part, attached thereto; and said Secretary shall have power to sustain, set aside, or modify the action of said board and cause payment to be made or withheld, as he may determine.





MESSAGE  
OF THE  
PRESIDENT OF THE UNITED STATES,  
COMMUNICATING THE  
SECOND ANNUAL REPORT OF THE BOARD  
OF INDIAN COMMISSIONERS.

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FEBRUARY 10, 1871.—Referred to the Committee on Indian Affairs and ordered to be printed.

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*To the Senate and House of Representatives:*

I submit herewith, for the information of Congress, the second annual report of the board of Indian commissioners to the Secretary of the Interior.

U. S. GRANT.

EXECUTIVE MANSION, *February 10, 1871.*

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DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., February 9, 1871.*

SIR: I have the honor to submit herewith the second annual report of the board of Indian commissioners, presented to this Department, with letter of this date, from Hon. Vincent Colyer, secretary of the board. I recommend, if it meet your approval, that the report be laid before the Senate, with a suggestion that it be printed.

With great respect, your obedient servant,

C. DELANO,  
*Secretary.*

The PRESIDENT.

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DEPARTMENT OF THE INTERIOR,  
BOARD OF INDIAN COMMISSIONERS,  
*Washington, D. C., February 9, 1871.*

SIR: I have the honor to transmit herewith the annual report of the board of Indian commissioners for the year 1870.

Owing to the absence in the Indian country of several of the committees of the board on their tours of inspection and observation, and the late hour at which they made their reports, it was not possible to submit it to your consideration at an earlier day. Regretting this delay, which was unavoidable,

I have the honor to be, very respectfully, your obedient servant,

VINCENT COLYER,  
*Secretary.*

Hon. COLUMBUS DELANO,  
*Secretary of the Interior.*

## REPORT OF THE BOARD OF INDIAN COMMISSIONERS.

Hon. COLUMBUS DELANO, *Secretary of the Interior* :

SIR: The undersigned, commissioners appointed by the President under the act of Congress of April 10, 1869, respectfully submit the following report :

During the past year much progress has been made in the improvement of the condition of many of the Indian tribes. A deep and widespread interest has been awakened in the public mind in regard to Indian affairs. A great improvement has been made in the manner of appointing agents, selecting them from men recommended by the various Christian missionary societies, and thus it is hoped permanently withdrawing those appointments from the arena of political strife for patronage; and, by act of Congress, military officers are no longer appointed as agents in this service.

## INDIAN WAR THREATENED.

Soon after the close of our last report, threatening indications of an extensive war on the plains reached us from the agents of the Osages, Kiowas, Comanches, Cheyennes, Arapahoes, and Sioux.

The Osages, a once powerful tribe, to whom the solemn pledges of our Government were made as far back as the administration of Thomas Jefferson, "that all lands belonging to you lying within the Territory of the United States shall be, and remain, the property of your nation, unless you shall voluntarily relinquish or dispose of the same, and *all persons, citizens of the United States, are hereby strictly forbidden to disturb you, or your nation, in the quiet possession of said land.*" (See Appendix 17.)

Notwithstanding this solemn treaty, over twenty thousand squatters had, within the last few years, been allowed to settle on the lands of the Osages. These Osages having been induced to sign a fraudulent treaty, disposing of all their lands in Kansas, (as reported to you last year,) were driven from their homes, and went out on the plains, mingling with the wild tribes, gave them such impressions of the perfidy of the whites, that, combined with the experience of the Cheyennes and Arapahoes on the Washita two years ago, and of the Kiowas and Comanches on the Clear Fork of the Brazos, in Texas, in 1858, and a failure to keep the Government's promises with the Sioux, so aroused the vindictive passions of these Indians that any slight additional provocation might at any time have produced an outbreak of war.

## INDIAN WAR AVERTED.

Affairs continued in this dangerous condition until January last, when the memorable Blackfeet war, or what was generally called the "Piegan massacre," occurred. (See Appendix 23.) The news of this massacre rapidly spreading among the tribes along the upper plains, soon began to show its bad effect in active demonstrations of hostility by the whole Sioux Nation. Several of the agencies near Fort Sully were taken possession of, and the agents, for a time, virtually held as prisoners, while rumors were rife that the Ogallalla Sioux were on the war-path, and had made a raid on the Union Pacific Railroad. (See Appendix 22.) Troops were immediately hurried forward by the War Department. Two regiments which were stationed in Virginia and other Eastern States were rapidly transferred to the Missouri, and every preparation made to protect



the border settlements. In this dark hour a proposition was made to the Secretary of the Interior by Mr. Benjamin Tatham, of New York, to invite Red Cloud, the renowned war chief of the Ogallalla Sioux, to Washington, that he might state his grievances, and let the Government and people hear his side of the story. While the honorable Secretary was deliberating on the proposition, a communication was received from Colonel Chambers, commanding at Fort Fetterman, stating that Red Cloud himself had made a similar request, "that he might be allowed to come on and see his 'Great Father.'" Arrangements were immediately made by the Department for the coming of Red Cloud, with twenty of his headmen, and Spotted Tail, with five other chiefs of the Sioux of the Missouri. The advent of these chiefs in Washington and the East was so full of interest to the many who witnessed it, and so productive of important results to our Indian affairs, that a brief sketch of the event has been placed in Appendix 1.

One effect of the visit of these Sioux chiefs to the East was to stop the spread of the threatened hostilities among the Sioux at the north, and their southern allies, the Cheyennes, Arapahoes, Comanches of the southern plains, who were waiting the outbreak of hostilities among the Sioux, to join in its bloody work.

Another effect of these two events—the Piegan massacre and the visit of Red Cloud—was to deepen the interest in the public mind in behalf of the Indians, as the commissioners took special pains to see that brief and accurate statements of the more important events were promptly given to the public through the Associated Press. Not only were the people profoundly moved, but the attention of Congress and of the executive officers of the Government was called to the subject so earnestly, that much good resulted.

The immediate effect of the publication of the details of the Piegan affair was to cause the House of Representatives to strike out from the Army Bill the clause transferring the Indian Bureau to the care of the War Department, (see Appendix 23;) while the advent of Red Cloud, with his heroic bearing, manly speeches, and earnestly successful efforts for peace among his own people on his return home, strengthened the hands of the many friends of the Indians, and, it may fairly be inferred, led to more friendly legislation in their behalf.

#### THE OSAGES.

Among the liberal measures introduced in Congress was one providing for the settling of the long-standing difficulty with the Osages, on a basis so just that in itself it marks an era in the history of our Government in its legislation on Indian affairs.

The commissioners, following up their protests against the old Osage treaty of last year, which stripped them of their great reservation of 8,000,000 acres for 19 cents an acre, and transferred it to a railroad corporation, requested the Secretary of the Interior to ask the President to withdraw this and several other minor treaties of like character from the further consideration of the Senate.

The new bill places in the United States Treasury, to the credit of the Osages, all the proceeds of the sale of their lands in Kansas, excepting the sixteenth and thirty-sixth sections, which were given to the State of Kansas for school purposes, and disposes of the land to actual settlers only, at \$1 25 per acre; and provides that the Osages may purchase a new home for themselves in the Indian Territory; and it also gives the Osages the right to accept or reject the bill. (See Appendix 14.)



Afterwards, when the special committee of the board, Messrs. Farwell, Lang, and Colyer, visited these Indians, they took pains to see that the Osages were neither coerced nor deceived into complying with the above-named act of Congress, (procured, it is believed, by the earnest intervention of the true friends of the Indians,) the committee stated the facts in the case fully to the Indians, so that they had a fair opportunity either to accept or reject the proposed offer.

The Osages seemed to be very incredulous, frequently bringing up the continued bad faith of the Great Father in not keeping previous promises, and for this reason five weeks were required to allow the Indians time for considering and deciding upon this, probably the most important transaction of their lives.

#### INDIAN RESERVATIONS PLACED UNDER CARE OF CHRISTIAN MISSIONARIES.

The clause which had been inserted in the Army bill, preventing officers from holding Indian agencies or other civil positions, induced the secretary of the board early to recommend to the Secretary of the Interior the policy of placing the Indian reservations under the care of the Christian denominations of the country. This recommendation was an extension of the policy already adopted by the President, in placing the superintendency of Nebraska, and that for Kansas and the Indian Territory, under the care of the Society of Friends. The Secretary of the Interior approving of this plan, called the attention of the President to the suggestion, who took it into consideration. Meanwhile, the secretary of the board went to New York, where the headquarters of most of the missionary societies are located, to consult with the officers of these bodies, and to ascertain whether they would accept the responsibilities of recommending suitable men for Indian agents. He found these officers at first reluctant to undertake the responsibility. Upon further consideration, the Rev. Dr. Lowrie, secretary of the Presbyterian board; Rev. Dr. Harris, secretary of the Methodist board; Rev. Dr. Backus, secretary of the Baptist board; Rev. Dr. Ferris, secretary of the Reformed Church board; Rev. Dr. Twing, secretary of the Episcopal Church mission; Rev. Mr. Anthon, secretary of the American Episcopal Church missionary society; Rev. Dr. Whipple, secretary of the Congregational board, who, with Dr. S. B. Treat, secretary of American Board of Commissioners for Foreign Missions, was communicated with by letter, all agreed to present the subject to the favorable consideration of their respective boards. Dr. Cady, chief clerk of the Indian Department, communicated with the Roman Catholics, of which church he was a zealous member, and communications were also sent to other denominations.

On his return to Washington, the secretary of the board was officially informed by Secretary Cox that the President approved of the plan of enlisting the coöperation of the Christian missionary societies in behalf of the Indians, and the secretary of the board was directed to open an official correspondence with these societies, which was immediately done. Before final action was taken on these communications, Commissioner Bishop invited the secretaries of the various missionary societies to hold an informal conference on the subject, in the office of the Rev. Dr. Lowrie, who cordially coöperated in this movement. After a free interchange of views, the officers of all the societies agreed to report to their respective boards in favor of recommending well-tried Christian men for Indian agents. They accepted the responsibility, and letters



announcing their action were addressed to the commission. (See correspondence in Appendix 24.) On the receipt of this information, the Secretary of the Interior applied to the Indian Office for the location of the various mission schools in the Indian country, and finding but little information on the subject in that office, applied to the secretary of the board, requesting him to furnish information, and to draw up an outline sketch of how the agencies should be allotted to the several missionary societies. (See Appendix 25.) The brief report which the secretary of the board made in reply to this request was accompanied with a map, on which was marked out, in different hues with water color, the various Indian agencies and the Christian denominations to which they could be assigned in harmony with the mission work already begun at the agencies. This letter and map formed the initial guide to the present allotments. Some portions of the Indian country, such as California, Oregon, and Washington Territory, were left unassigned. They have since been assigned to the Methodist and Catholic churches. The Nez Perces reservation in Idaho and the Umatilla in Oregon were, by mistake, assigned, the former to the Roman Catholics and the latter to the Methodists. On the visit of the secretary of the board to that country in the fall he discovered the error, and on his reporting the facts to the Interior Department, by direction of the President, the errors were corrected.

#### ACT OF CONGRESS GRANTING SUPERVISORY POWERS TO THE BOARD.

Towards the close of the last session of Congress statements were made at the office of the board, by persons whose positions apparently afforded them opportunity for obtaining correct information, that large contracts for beef, flour, &c., were being given out by the Commissioner of Indian Affairs without advertising, and at prices considerably beyond what ought to have been paid. Without giving credence to these stories, the secretary of the board inquired of the Commissioner of Indian Affairs if any contracts had been given and at what prices. He promptly informed the secretary that a large contract had lately been given out without advertising, but that the prices were low, and that the reason he had so hurriedly made the purchases was because of the immediate need of food in Dakota, &c. At an interview had soon after with the Secretary of the Interior the secretary of the board referred to these complaints and gave the honorable Commissioner's explanation of them. Secretary Cox said he had heard such stories, but that he believed them unworthy of notice. A few days later, in an interview on other points with the chairmen of the Committees on Indian Appropriations for the Senate and House of Representatives, these gentlemen asked the secretary of the board if he had heard these rumors; he told them he had, and gave them the Commissioner's explanation and the opinion of the Secretary of the Interior. They then inquired what were the powers of the commission in such an emergency. The secretary then showed to them the executive order of the President, granting power to the board of commissioners to examine all accounts, reports, contracts, &c. After considering the subject they resolved to give this order the form of law and place it in the body of the Indian appropriation bill, then before these committees. They then introduced the following amendments to section 3 of the act making appropriation for the expenses of the Indian Department for the year ending June 30, 1871:

And the commission of citizens serving without pay appointed by the President under the provisions of the fourth section of the act of April 10, 1869, is hereby contin-



ned so long as the appropriation heretofore made for their expenses shall last. And it shall be the duty of said commissioners to supervise all expenditures of money appropriated for the benefit of Indians in the United States, and to inspect all goods purchased for said Indians in connection with the Commissioner of Indian Affairs, whose duty it shall be to consult said commission in making purchases of such goods.

When this clause was read by Secretary Cox, a doubt arose in his mind as to its meaning; "whether so specific as that an official representative of the board should audit all bills of the Indian Department or not?" or "whether it was only general in its application;" and on consulting with some of the members of the Senate Committee on Appropriations he said they had concluded that it meant simply that the board should exercise general supervision, having knowledge of, and to be consulted about, all contracts, purchases of goods, payments of money, &c., made by the Indian Department. Seeing that there might be a question raised as to its real meaning, and wishing to be fortified with the opinion of those who had framed the bill, the secretary of the board addressed a note of inquiry to the Hon. Aaron A. Sargent, of the House Sub-Committee on Indian Appropriations, (see Appendix 26,) and received from him the reply from which the following is an extract: (See Appendix 27.)

Congress desires that your commission shall oversee and advise in all contracts for, or purchases of, Indian goods; shall see that the articles bought are suitable and the prices reasonable; that the kind and amount of goods contracted for are delivered; that annuities are properly paid; that presents are justly and judiciously given; in short, that you shall supervise *all* expenditures of money appropriated for the Indians. It makes it the duty also of the Indian Commissioner to consult your board in all purchases for the Indians. You do not expend the money, for that is the duty of the Commissioner, but you have a right to know of and advise in all expenditures, all receipts for goods, &c. In case of a difference of opinion between your board and the officer charged with the disbursements, you can only advise and report to the Secretary the facts which induce your dissent.

On the 3d of June, 1870, the chairman of the board addressed a letter to the Commissioner of Indian Affairs, asking when he proposed to make the purchase of annuity goods, and informed him that the sub-committee of the board were ready to assist him whenever he should ask for their aid. (See Appendix 28.) A reply was not received to this note until the 18th of July, when the Commissioner answered that he would be in New York on the 21st of the month (he afterwards postponed it to the 27th) with a view to making the necessary purchases, and that he would be happy to meet any of the commissioners. The board was immediately called to meet in New York, to advise with the Commissioner in regard to purchases. (See report on purchases.) At the same time communications were received from the Commissioner of Indian Affairs, through the Secretary of the Interior, asking that members of the board be requested to visit Red Cloud and the Ogallalla Sioux near Fort Laramie, to locate an agency and trading post; to visit Spotted Tail and the Brulé Sioux on the Missouri River, to select a new reservation for them on the White River; (see report on visiting Red Cloud;) to visit the Osages in Southern Kansas, and arrange with them for the sale of their lands and removal to the Indian Territory; (see report on visiting Osages;) also, to witness certain large payments of money to the Pottawatomies, Quapaws, Creeks, and other Indian tribes in Kansas and Indian Territory. (See report on payment of Quapaws.)

Felix R. Brunot and Robert Campbell were the committee appointed to visit Red Cloud and Spotted Tail, and John V. Farwell, John D. Lang, and Vincent Colyer were appointed a committee to attend to the business with the Osages and to supervise the payment to the Quapaws, Creeks, and other tribes. John V. Farwell and Vincent Colyer were



also appointed a committee to visit, inspect, and report upon the condition of the Indian tribes on the Pacific slope.

#### PURCHASING THE ANNUITY GOODS.

The committee on purchases of Indian goods of last year, Messrs. George H. Stuart, Robert Campbell, William E. Dodge, and John V. Farwell, were continued for the present year. This committee, with the Commissioner of Indian Affairs, proceeded at once to arrange for the purchase and inspection of the annuity goods for the ensuing year.

An improvement on the old method of advertising for goods was introduced, by which parties proposing to sell should furnish samples of their goods, with the prices attached, instead of being compelled, as heretofore, to conform to a sample on hand in the Indian Department, which sample, being the work of one party, it was perhaps impossible for another dealer to furnish, while, at the same time, it might be that he could furnish another superior article at less price. Great care was also taken by this committee to see that sufficient publicity was given to the advertisement for proposals, and that copies reached most of the reliable merchants and manufacturers engaged in the business, and bids were directed to be received for specific articles and quantities, instead of for classes, containing different kinds of goods, as heretofore has been the practice.

Provision was also made for the most thorough inspection of the goods by an appointee of the board, to see that they conformed to the samples before being accepted. The successful and marked result of these measures is more fully set forth in the report of the sub-committee on purchases, which will be found annexed. The goods purchased were of a better quality than has been supplied to the Indian Department for many years, and were furnished at prices much below what they would have been under the old methods of purchasing. (Page 21.)

The committee who visited the Osages accomplished their object in a satisfactory manner, and it is now believed that this tribe will go to their new homes in the Indian Territory cheerfully, feeling that their removal is an act of their own choice, and that the Government has dealt with them justly and liberally. For interesting details on this subject, see the accompanying report of the committee on visiting the Osages, herewith annexed. (See page 17.)

#### VISIT TO RED CLOUD.

Commissioners Brunot and Campbell, appointed "to visit Red Cloud and Ogallalla Sioux, to encourage the peaceful disposition evinced by the chiefs, and to inspire them with confidence in the just intentions of the Government toward them," were also requested to secure a suitable place for Red Cloud's agency within the Indian country, and superintend the delivery of the annuity goods. This committee held important councils at Fort Laramie with the Northern Cheyennes, Arapahoes, Minneconjoux, Sioux, and a portion of the Brulés. They also held councils at Denver, in Colorado, with Colorado's band of Utes. At Omaha they inspected the working of the northern superintendency in Nebraska, under the care of N. E. Janney. Owing to the delays common to negotiations in which Indians are a party, this committee spent nearly two months in that field, and hence were compelled to forego their intended visit to the Sioux on the Missouri River. Accompanying this will be found a general report of the work of this committee on their visit to

Red Cloud. The good impressions made by the just treatment of the Osages on the southern border of the plains, and of the Sioux on the north, and the prompt delivery of goods of a superior quality to Red Cloud's band, together with the assurances made by the commissioners that both these nations should be undisturbed in the quiet possession of their reservations, so pacified these warlike tribes that an expensive war was averted, and the foundation for a peace with them was laid, which, in the opinion of this board, may be made permanent if similar wise measures are continued.

The middle of September having arrived before the completion of the above duties, so little time remained prior to the assembling of Congress for the completion of the unfinished work of the commission, the task was necessarily divided. Commissioner Lang went to supervise the payments to be made to the Creeks, Pottawatomies, and Quapaws; and Commissioner Colyer undertook the tour to the tribes in Idaho and Oregon, Commissioner Farwell being unable to accompany him, owing to the destruction by fire of his extensive warehouse in Chicago.

#### CREEK AND QUAPAW PAYMENTS.

Commissioner Lang has reported that the payments to the Creeks and Pottawatomies, so far as he could see, were properly made. He further reports that when the payments were made to the Quapaws, he saw a man called General Blunt sitting at the table near the Government paymaster, who represented that the Indians had agreed to give him one-third of the \$90,000 for services which he said he had rendered to them in getting this appropriation through Congress. Commissioner Lang reports that he objected to the payment of the \$30,000, and that he advised the paymaster to suspend the payment until instructions could be received from Washington, which the paymaster declined to do. The chairman of the board immediately presented this subject to the Secretary of the Interior, calling his attention to this case.

#### THE ONEIDAS.

A communication was received by the chairman from Bishop Armitage, of Wisconsin, concerning the present condition of the Oneidas, and the proposition before the last session of Congress to remove them from their present location near Green Bay in that State. Commissioner Colyer, at the request of the chairman, in company with Bishop Armitage, visited that tribe on his way to the Pacific slope.

The Oneidas were removed from the State of New York over thirty years ago, and have rapidly advanced in civilization since that time. Many of them have as good houses, barns, fences, &c., as the average of white people in their neighborhood; and the two churches and school-houses, under the care of the Episcopal and Methodist church societies, are decent and commodious buildings, capable of accommodating one hundred and fifty persons each. (See Appendix 38.)

On their farms they are using reaping and threshing machines, the personal property of the Indians; and a stranger passing through their country could not distinguish it from a prosperous white man's settlement. There is a difference of opinion among them as to the expediency of having their land divided up in severalty; the majority of the tribe, however, being opposed to it.



## IDAHO AND NORTHEASTERN.

Commissioner Colyer, while examining into the condition of Indian affairs in Idaho, at Boise City, became convinced that the office of general superintendent of that Territory was unnecessary and ought to be dispensed with; he telegraphed this opinion to the Secretary of the Interior, who, under the direction of the President, promptly abolished the office. He visited the Umatilla reservation in Oregon and the Nez Perces reservation in Idaho, and returned by way of Portland and San Francisco, and obtained much information concerning the condition of Indian affairs in Alaska. For details of this tour see report of Commissioner Colyer on his trip to Idaho and Oregon, herewith annexed. (See page 29.)

## THE COUNCIL AT OCKMULGEE, INDIAN TERRITORY.

It being deemed important that a committee of this board should attend a convention of the different tribes to form a confederation, or territorial government in the Indian Territory, agreeably to their treaty stipulations, the chairman appointed Commissioners Robert Campbell, John V. Farwell, and John D. Lang to visit the council at Ockmulgee. A full report of their visit to this important and interesting council is herewith annexed. (See page 25.)

Regarding this movement among the Indians for local government in the Indian Territory framed by themselves, and their willingness to invite the wild tribes to become their neighbors, to engage in agricultural pursuits, and to participate in their proposed government, as hopeful indications of a more rapid progress of civilization. The board passed the following resolution at its meeting January 16, 1871:

*Resolved*, That this board respectfully and earnestly solicit the President of the United States to recommend to Congress such legislation as may be deemed necessary to encourage and secure permanency to the government organized by the Indians, in the Indian Territory, for the benefit of themselves and their race; and also such legislation as may be deemed necessary for the absolute protection of the Indian Territory, both east and west of the ninety-sixth parallel of west longitude, from settlement by the whites, in order that it may be preserved permanently for the location of such other tribes of Indians as may from time to time be induced to settle thereon; and that this resolution be forwarded by the chairman of the board to the President of the United States, through the Secretary of the Interior.

## THE APACHES OF ARIZONA AND NEW MEXICO.

In the report of the board of last year, (pages 54 and 55,) attention was called to the condition of the Apache Indians of Arizona and New Mexico, and of the wish of a portion of that tribe to come in and settle on a reservation. The information contained therein, which was obtained from the personal visit of the secretary of the board, as well as from the reports of the agent of the Indian Department, was accompanied with the recommendation "that they should be attended to without delay, and many lives and much treasure could thus be saved."

Following up this recommendation, efforts were made to have an appropriation for these Apaches inserted in the Indian appropriation bill of last year, but without success. Since that time, a very limited amount of subsistence, all that the Department felt free to allow, has been dealt out to them.

On his return from Idaho, the secretary of the board, finding that nothing adequate to meet this emergency had yet been inaugurated, addressed a communication to the Secretary of the Interior, requesting him to recommend to Congress that an appropriation of \$100,000 be



made for bringing these Apaches of Arizona and New Mexico upon reservations, and for subsisting and civilizing them for the ensuing year, and that of this amount \$30,000 be asked for as a special appropriation to meet the immediate necessities of the Department. (See Appendix 29.)

The Secretary of the Interior transmitted this communication to the House of Representatives with a letter heartily concurring in the recommendation, in which he says: "Believing this method far better than continuing to endeavor to subdue them by military force, which, aside from its cruelty, would cost millions."

The Honorable Aaron A. Sargent, of the Sub-Committee on Indian Appropriations of the House of Representatives, to whom the letter was officially addressed, having a thorough knowledge of the facts and believing in the necessity of the act, immediately reported a bill to the House making a special appropriation of \$30,000, which the House passed the hour it was reported, and inserting a clause in the annual appropriation bill appropriating \$70,000 for the ensuing year.

Doubts having arisen in the minds of some of the Senators as to the necessity of special legislation to meet the emergency, the bill was laid over until after the holidays. Meanwhile the secretary of the board having called on the President upon other business, mentioned the situation to him, and the President directed the secretary to ask the Adjutant General of the Army to draw up an order for him to sign, directing that these Apache Indians be supplied by the Subsistence Department of the Army with such subsistence as could be spared without injury to the service, the cost to be refunded by the Indian Department on the passage of this bill. (See Appendix 30.) The order was made out December 23, 1870, signed by the President, and telegraphed to General George W. Getty, commanding the department of New Mexico, who telegraphed on the 29th "that the articles required are fresh beef and corn, of which there is no surplus in the district." (See Appendix 31.)

The commission are in hopes that the Senate will pass this appropriation at an early day, and that before another year the board may report as peaceful relations with the Apaches of Arizona as with any other tribes under the care of the Government.

Remembering the great good which resulted from the visit of Red Cloud and other Sioux chiefs to the East last year, and considering the loss of life and expense which the war with the Apaches has cost, on the 7th of January the secretary of the board addressed a letter to the President, submitting to his consideration the question whether it would not be wise and economical to invite Cochise and other Apache chiefs to visit Washington. This suggestion received the approval of the Honorable Commissioner of Indian Affairs and the Secretary of the Interior, and was by the President promptly submitted to Congress. (See Appendix 31½.)

#### CONFERENCE WITH THE CHRISTIAN MISSIONARY SOCIETIES.

Wishing to have a clear understanding with the Christian societies enlisted in caring for the Indians, the board invited each society to send one or more delegates to attend a conference with the board (then in session in Washington) on this subject, to be held in Washington on the 13th of January, 1871. Nearly all the societies sent representatives to the conference, who expressed their views in a series of resolutions, showing a deep interest in the enterprise and a readiness to give a cordial coöperation to the Government in all its endeavors to improve the



condition of the Indians. At this conference (see Appendix 32) the Secretary of the Interior was present and expressed his deep interest in the object of the meeting, and gave assurances of the cordial support of the Government to the missionary societies in this work. In the absence of the Commissioner of Indian Affairs a proposition was submitted to the Secretary of the Interior from the Acting Commissioner of Indian Affairs as to the economy and wisdom of freezing the supply of beef among the Sioux Indian agencies on the Missouri River, and the Secretary ordered the question to be submitted to the secretary of the board for an opinion. He reported in favor of freezing the stock on hand, the property of the Government, and of allowing the contractor, Mr. Morrow, to do the same with the supply required for January, February, and March, at the contractor's own risk.

#### CONCLUSION.

In conclusion, the commissioners feel that the Government and people of this country have abundant evidence of the overruling goodness of God in awakening a general public sentiment in behalf of the Indians, in averting a border war, promoting peace, inspiring just legislation, and opening the way for educating, civilizing, and christianizing the Indians of this land.

The board have found nothing in the experience of the past year to call for any material changes in the recommendations of last year's report. It is deemed unnecessary to repeat them here, and such specific recommendations as seemed to us important have been submitted in detail during the year. The act of the President in delegating to the Christian missionary boards the nomination of the agents who have in their control all the minor appointments on the reservations, is eminently wise and humane; wise in its plan for accomplishing the good, and humane in its design for the elevation of an unfortunate race.

The board desire to express their increased confidence in the President's treatment of the Indian question, and their firm belief that the course which has been entered upon will, if persevered in, lead to a perfect success.

To the President, to yourself, and to Ex-Secretary Cox, your predecessor, the board are under many obligations; and to the Commissioner of Indian Affairs and the Department officers, for uniform courtesy. To General Sherman and those officers of the Army with whom the members of the board have had official intercourse in their visits to the Indian country, they are indebted for a ready coöperation and many courtesies.

Respectfully submitted.

FELIX R. BRUNOT, Pittsburg, Pa.,  
*Chairman.*

ROBERT CAMPBELL, St. Louis.

NATHAN BISHOP, New York.

WILLIAM E. DODGE, New York.

JOHN V. FARWELL, Chicago.

GEORGE H. STUART, Philadelphia.

EDWARD S. TOBEY, Boston.

JOHN D. LANG, Me.

VINCENT COLYER, New York,  
*Secretary.*

*Report of the committee of the board of Indian commissioners at the council with Red Cloud and chiefs of Ogallalla Sioux, at Fort Laramie, Wyoming Territory.*

DEPARTMENT OF THE INTERIOR,  
BOARD OF INDIAN COMMISSIONERS,  
Pittsburg, October 29, 1870.

Hon J. D. COX, *Secretary of the Interior*:

DEAR SIR: In compliance with a request from Hon. E. S. Parker, Commissioner of Indian Affairs, the board of Indian commissioners, at a meeting in New York, on the 22d of July, appointed a committee, consisting of Hon. Felix R. Brunot and Robert Campbell, to visit Red Cloud and the chiefs of the Ogallalla Sioux Indians at Fort Laramie or Fort Fetterman. The purpose of the visit was to encourage the peaceful disposition evinced by the Indians on their late visit to Washington, and to secure, as far as possible, permanency to the peace already inaugurated; to select a suitable place for Red Cloud's agency within the Indian country, superintend the delivery of their annuity goods, inspire them with confidence in the just intentions of the Government toward them, and urge their coöperation in its benevolent plans for their civilization.

The committee also expected to visit Spotted Tail's Brulés with a similar purpose. We regret that the unexpected delays encountered in accomplishing the first-named objects prevented the commissioners from going to Spotted Tail's country.

The committee reached Omaha on the 23d of August. While there we examined the accounts of N. E. Janney, and inquired into the general management of his superintendency. The result of the investigation confirmed the committee in the opinion that Mr. Janney is a judicious and efficient officer, who is faithfully, and with a good degree of success, laboring to carry out the designs of the administration for the improvement of the Indians under his care.

On the 27th we arrived at Cheyenne, and on the 29th learned by telegram that the Sioux would not be in until about the 15th of September.

#### VISIT TO THE UTES OF COLORADO.

On the 2d of September the commissioners went to Denver, at the request of Governor McCook, to meet Colorado's band of Ute Indians. The band comprises about thirty lodges. The interview was held with Pe-ah, (Black-tailed Deer,) Colorado, and about a dozen other chiefs and headmen, at the territorial office, on the 5th.

The commissioners urged the Indians to go upon their reservation and place themselves in a position to receive the benefits designed for them by the Government. Pe-ah said he had been to the reservation, and did not like it; he had told Governor McCook he would not stay there; he had always lived in this country; the bones of his fathers are here. He reiterated to us his determination not to go to the reservation. On being told he had signed a treaty in which he promised to go there, he said he did not know what the Great Father would think of him, but he would not go there; if the Great Father will not give him anything he will get along without; there are plenty of buffalo yet; their children could learn white men's ways when the buffalo are gone; it is too soon yet, &c.

We are informed that the Utes have been uniformly the friends of the



whites, and are considered to be superior in disposition and intelligence to the Indians generally. This band has always lived near the settlements, and, although the people seem anxious to get rid of them, careful inquiry into their conduct failed to elicit any more serious charge against them than a fear of their presence. It is admitted that they do not steal or commit any serious depredations upon the settlers. The patient and friendly forbearance of these Indians towards the occupants of their lands would seem to entitle their request to remain for awhile in the home of their fathers to favorable consideration; and yet, experience with other tribes indicates that it is hardly possible to remain without having disagreement and collision with the whites, sooner or later.

To attempt at once forcibly to place them upon the reservation and keep them there would probably lead to a war with all the Utes and the loss of many lives upon the frontier in Colorado. It would cost millions of dollars, and success would be very doubtful.

The commissioners are of the opinion that Pe-ah's band should not be required to go to the reservation at present, and that the superintendent should be authorized to deliver to them their annuities at some point less remote from Denver. This opinion we understood to be concurred in by Governor McCook.

#### START FOR FORT LARAMIE.

On returning to Cheyenne, learning that the annuity goods for Red Cloud, which had been shipped from New York on the 1st, would reach Cheyenne on the 17th, we arranged to start for Fort Laramie on Monday, 19th. On reaching the fort on the evening of the 21st we regretted to find that, with the exception of bands of Northern Cheyennes under Dull Knife, a band of Brulé Sioux and a few Ogallallas, the Indians had not arrived. We again sent messengers to hasten Red Cloud's movements, but the chief did not reach Fort Laramie until the evening of October 4.

#### COUNCIL WITH RED CLOUD AND OTHER CHIEFS.

On the 5th a council was held at which Red Cloud, Man-afraid-of-his-horses, Red Dog, American Horse, Red Leaf, Grass, and a large number of Ogallalla and Minneconjou chiefs and braves, were present.

The commissioners were satisfied that the delay was owing to the fact that Red Cloud, anxious to procure unanimity in the conclusions of the various bands, and to have the largest possible number present and agreeing to the council, had been visiting and holding talks with all of them for that purpose. As they were all in the buffalo country, three hundred to four hundred miles distant, and scattered over an extensive area, his work, necessarily done in the Indian deliberative way, was one requiring time.

#### RED CLOUD COMPLAINS OF VIOLATION OF TREATY.

At the council Red Cloud complained that the Great Father had told him no white man should go north of the Platte, but now white men had gone along the Laramie (or old California) road, and others were cutting hay on the north side about twenty-five miles from Fort Laramie. He said he had been promised traders, and he wanted his trading post at Ward's old trading-house, ten miles from Fort Laramie, on the south

side of the Platte. He also wanted ammunition and the privilege of trading for it.

The commissioners endeavored to correct the misunderstanding about the road, impressing upon him that the Government did not intend by the treaty to close that road; but had closed the road to the north, via the abandoned forts, and that, while by the treaty unauthorized persons were not to be permitted to go through or to settle upon their hunting grounds, the Government had a right to send its own men for purposes connected with the forts.

The determined tone assumed by Red Cloud in regard to the location of the trading post, made it apparent that it would be useless for the commissioners to propose to go into the Indian country to select a place which we might deem suitable for cultivation and the permanent settlement, and, as the best alternative, we proposed Raw Hide Buttes as the place for the post for the present. They had evidently fully discussed the subject in their own councils and thought it decided in their way, and the proposition was not received with favor.

#### RIVAL INTERPRETERS.

While it was under discussion, a sudden and somewhat violent dissension arose among them, on account of an objection of Red Dog to John Richards, who was interpreting, and a demand that Leon Pallardy should interpret the speech he was about to make. This made it expedient to adjourn the council until, as Red Cloud said, "they could settle this thing among themselves."

After the adjournment the commissioners had a private conference with Red Cloud, in which the subject of the agency was further discussed, and the importance of his having teachers and schools and a commencement of civilization urged.

#### CLOSING THE OLD CALIFORNIA ROAD.

The council reassembled on the 6th and was continued several hours, the subjects being the same generally as the day before. The position of the commissioners was a difficult one, for we could not but feel that the Indians were technically correct in their claim about the old California road, (see sixteenth article of the treaty,) and that it would be impossible to convince them that their request in regard to the trading post was not reasonable, even if ourselves convinced. At the same time we were satisfied the commissioners of 1867, who made the treaty, did not intend to close the road, and that to locate the trading post on the border, as they wished, would be greatly injurious to their future welfare, and lead to constant troubles between them and the whites. We endeavored to press them to a right conclusion on these subjects, and in regard to the matter of education, only so far as we could do so, and at the same time confirm their present friendly disposition, and draw from them reiterated expressions of their intention to remain peaceable.

#### SATISFIED WITH THE ANNUITY GOODS.

On the morning of the 7th we learned that three of the four bands had decided to accept the advice of the commissioners, and in the afternoon of the same day the annuity goods were taken out to Red Cloud's camp and delivered to him. The delivery was attested by Colonel F. F. Flint, commander of the post, and Major Luhn, quartermaster, at our



request, and receipts were signed by Red Cloud and the principal chiefs. The cases and bales were opened by the commissioners and examined. The chiefs at the same time expressed much satisfaction with the quality and quantity of the goods. In reply to questions, they said they would prefer next time something else in the place of hats, coats, and pantaloons; would prefer dark blankets to white ones, and domestics or drillings to flannels, as being, in their opinion, more serviceable for women's wear and more generally useful. They were fearful that we might think these expressions of opinion indicated dissatisfaction, and insisted that they were much pleased, but only expressed these preferences for "next time," because we asked them to do so.

On the morning of the 8th (Saturday) Red Cloud and his head chiefs came for a farewell talk. He still seemed to think he might succeed in getting his trading post on the south side, and was again told it could not be allowed. He asked if his people could get rations when they came to Fort Laramie, and was told they could not; that they must not come to the south side of the river after the commissioners were gone. He again spoke of their want of ammunition, and was told that after there had been a longer peace the commissioners would ask the Government to give them some, but could not tell whether it would be done or not; "We thought it would." Some of them asked if they could not go to the Republican for buffalo. We told them it would be very unwise to go there, and would be sure to get them into trouble, and besides there were now very few buffalo there. In parting Red Cloud said he thought his people would decide this winter to have a trading post at Raw Hide. He wanted them all to decide the same way. We told him when he made up his mind, to tell General Flint.

In the expectation that Red Cloud would ask for the post at Raw Hide at this interview, (having been so informed by Richard the evening before,) we had drawn up a short agreement on the subject. This was signed by the commissioners and left with General Flint, and Red Cloud informed that he would find it there when he had made up his mind to have the post at Raw Hide.

#### PROSPECTS OF FUTURE PEACE.

Our parting from the Indians (including the Cheyennes and Minneconjous) was kindly, and we were quite satisfied with the tone and temper evinced by them, and have every reason to believe that they intend to keep the peace to which they have pledged themselves.

That we may hear of an occasional robbery of stock, or some murder committed by "the Indians," is to be expected. It would be unreasonable to expect that Red Cloud can maintain among his savage followers a degree of virtue and exemption from criminality more absolute than the authorities are able to secure in our most enlightened communities.

#### INTERVIEW WITH THE NORTHERN CHEYENNES.

On the morning of the 7th the commissioners met, by previous appointment, Medicine Man, Dull Knife, and other chiefs of the Northern Cheyennes. Medicine Arrow and a number of Southern Cheyennes were also present. We found that our interpreter did not sufficiently understand the language, and the attempt to communicate with them by means of a Sioux, who could speak it imperfectly, was very unsatisfactory.

The Cheyennes claim to desire peace, and they say they will do no wrong to the whites. They prefer to remain in the Ogallalla country, and, as Red Cloud said he was willing, we told them they might either



remain there or go to the Southern Cheyenne reservation, but must choose one or the other, and not go back and forth. They also wanted ammunition, and were told they must be at peace a long time first, and then we would ask it for them. So far as we can judge it is the intention of the Cheyennes to have peace. We gave them some presents and rations to confirm their good intentions.

Roman Nose, Whistling Elk Walking, Little Bull, and the other Minneconjou chiefs, were told that no presents were sent to them, because their agency is on the Missouri, and they must go there for their presents. They should have rations while here, and some to last to their hunting grounds. They seemed to consider this satisfactory, and are well disposed. They were brought to meet the commissioners by Red Cloud, and will, we think, with him, remain peaceable. Duplicate receipts for the annuity goods were signed by the chiefs of the Ogallallas, and are herewith inclosed. They had been prepared previously to opening all the cases, and it was subsequently found that two cases of satinetts on the invoice were not among the goods delivered; there were two cases of clothing delivered which were not on the invoices or receipts.

The commissioners gave an order to Coffee & Campbell, post traders, at Fort Fetterman, to deliver to the Cheyennes certain goods named therein. A copy of the order will be found in the records of Mr. Fayel, clerk.

The bill of S. E. Ward, also for presents, amounting to \$882 25, and the bills of Leon Pallardy and John Richard for \$100 and \$150, respectively, for services rendered, were also approved.

#### SUBSISTENCE OF THE INDIANS.

The commissioners desired to avoid the necessity of purchasing or issuing the rations required for the Indians, preferring that the issue should be made by the Commissary Department of the Army, but on receiving information at Cheyenne that the supplies at Fort Laramie were not sufficient to meet the expected demand, and on consultation with Governor John A. Campbell, it was decided to order 200 sacks of flour. Having been instructed by Hon. E. S. Parker, Commissioner of Indian Affairs, in the event of needing supplies to apply to Augustus Kountz, at Omaha, Governor Campbell telegraphed to him at our request, and received in reply an offer of L. C. Curry to furnish the flour at \$3 50 per sack. A telegram was also sent to the flour mills at Council Bluffs, and a reply received offering to deliver it at Cheyenne for \$3 per sack. The flour was, therefore, ordered from General Dodge, at \$3, and the quantity increased. Subsequently to this purchase we learned from the commissary that he could furnish all the supplies likely to be needed. It was then arranged that the flour should be turned in on account, and the issues of rations, already begun to the Indians who were gathering at Fort Laramie and Fort Fetterman, should be continued under the direction of the respective commanding officers, and the accounts adjusted between the War and Indian Departments at Washington.

A request had been made by us also that the annuity goods might be transported to Laramie by Government train. This was done to the extent to which the transportation which could be spared, the remainder being provided for by Governor Campbell.

You are respectfully referred to a supplementary letter for the views of the commissioners on the subject of the agent and traders proposed to be appointed for Red Cloud, and to the record of Mr. Fayel, clerk to the commissioners, for details of matters referred to herein.



Mr. Fayel's record of the proceedings in the several councils, although not phonographic, is sufficiently full and commendably accurate, and gives a fair idea of the temper and disposition of the Indians.

From General Sherman; General C. C. Augur, commander of the Department of the Platte; Colonel John H. King, of Fort Russell; and Colonel F. F. Flint, at Fort Laramie, we received the most cordial coöperation. To the two last named and the officers of their commands, and to Colonel E. W. Crittenden, and the officers of the escort, we are under many obligations for their attention and courtesies.

Very respectfully, your obedient servant, &c.,

FELIX R. BRUNOT.

ROBT. CAMPBELL.

(See Appendix No .2.)

*Report of the committee of the board of Indian commissioners appointed to visit the Osage Indians, and obtaining their consent to the act of Congress providing for the sale of their lands in Kansas, to aid them in their removal to the Indian Territory.*

Hon. FELIX R. BRUNOT, *Chairman* :

SIR: On the 22d of July we received a letter from the honorable Secretary of the Interior inclosing a communication from the honorable Commissioner of Indian Affairs, dated July 19, recommending that a committee of our board visit the Great and Little Osage Indians with a view to an arrangement with them for their removal from Kansas to the Indian Territory. (See Appendices 3 and 4.) The subject was brought before the board at its special meeting in New York July 28, and Commissioners John V. Farwell, John D. Lang, and Vincent Colyer were appointed a committee "to visit the Osages, and if upon consultation with the tribes it was ascertained that they accepted the proposition of Congress, the committee were to assist them to the extent of their ability." Due notice of the action of the board was promptly forwarded to the Commissioner of Indian Affairs at Washington.

#### PRICE TO BE PAID FOR THE CHEROKEE LAND.

On the 2d August a letter was received from Acting Commissioner Cady, (Appendix 5,) informing the committee that the Secretary of the Interior directed him to say "that it was desired that the price to be given for the land, (to be purchased of Cherokees for the Osages,) agreeably to the amended treaty between the United States and Cherokee Nation, shall not exceed 50 cents per acre, and to effect the purchase at even a less price if possible." Accompanying the letter was a copy of another letter, which had been forwarded to Enoch Hoag, dated July 22, (Appendix 6,) in which instructions were given to Agent Gibson, of the Osages, in the following words:

He will inform them (the Osages) that some members of the President's board of commissioners will meet them in council; \* \* \* but the place of meeting of such council must be in the country to which they are to remove, and not upon their reservation in Kansas.

To these instructions the secretary of the board (being the only member of the committee then in Washington) earnestly objected, as they assumed it as a foregone conclusion that the Osages would accept the act of Congress, and they prevented them from meeting on their own

reservation and council ground; when the very object of the council was to consider whether they would or would not dispose of that reservation; and they compelled them to meet in a new country, to which, as yet, they had no legal title. On calling the attention of the Secretary of the Interior to these facts, he promptly ordered the instructions to be changed, so that it was left to the Osages themselves to select the council ground. (See Appendix 8.)

#### COMMITTEE PUNCTUAL—OSAGES DELAYED.

The committee arrived at the Osage agency, Montgomery, Kansas, promptly on the 20th August, the day appointed for the council to meet.

Enoch Hoag, the superintendent of Central superintendency, accompanied us down from Lawrence, and Agent Gibson was on the ground, but no Osages had as yet arrived. Mr. Gibson informed us that he had sent out runners to notify the chiefs nearly a fortnight before, but the tribe were nearly all out on the plains buffalo hunting.

#### VISIT THE NEW OSAGE COUNTRY.

Pending the arrival of the Osages, our committee engaged teams, and, accompanied by Messrs. Hoag and Gibson, we occupied the four following days in visiting and inspecting the new reservation, west of 96°, to which it was proposed to remove the Osages, in the Indian Territory. We rode forty-five miles into the reservation, making a wide detour on our return, so that we could see as much of it as possible. We found the land of excellent quality, a liberal proportion of it, along the banks of the Cana, good bottom land, well timbered, with tall and thick prairie grass, plenty of water, and the upland rolling, apparently covered with good pasture for cattle, and considerable timber. Some Delaware Indians, a few Osages, and about three hundred white people were already settled upon it. The Delawares had located there by mistake, supposing it to be east of 96° of longitude, and part of the unencumbered land of the Cherokees, into which nation they had become incorporated.

#### LINE OF 96° NOT MARKED.

We could not find any one who could inform us correctly where the 96° run, nor where there were any surveyor's marks to be seen. As it was important that this line should be ascertained by us without delay, in order that we might be able to advise the Osages intelligently, should they ask us for our advice, Mr. Hoag employed a surveyor to immediately run the line and report to us as soon as possible.

#### COUNCIL HELD ON OLD COUNCIL GROUND IN KANSAS.

On our return to the council ground, as well as on our tour through the new reservation, all of the Osages, full-bloods and half-breeds, were earnest in their petition that the council should be held on the old council ground; although Mr. Gibson had notified them agreeably to the first instructions received before our arrival "that they must not meet on the old council ground." (See Appendix 6.) Finding that none of them had gone to the new council ground designated, our committee, respecting the appeal of the chiefs, we changed the order, and much to their satisfaction invited them to meet on the old council ground at Drum Creek, Montgomery, Kansas.



## WHITE SQUATTERS REMOVED FROM CHEROKEE COUNTRY.

Another objection which the few chiefs who had yet arrived (26th August) strongly urged against the act of Congress they were considering, was the presence of the three hundred white settlers on the new reservation. As this complaint was reasonable, we visited the officer commanding the United States troops, Captain J. S. Polland, Sixth Infantry, stationed near the council ground, to ascertain what instructions he had received with regard to these white trespassers on the Indian Territory. The captain said that he required a notice from Major Craig, the agent of the Cherokees, before he could act. We were disappointed at hearing this, as Major Craig was a five-days' ride distant; and we had supposed that the Government at Washington had arranged a more expeditious way of dealing with these squatters. Captain Polland then kindly showed us a letter from General Sherman (see Appendix 9) to General Pope, commanding Department of Missouri, which, if executed promptly, would effectually remove this obstacle. It said: "You (General Pope) had better send a cavalry force down on the line, and give notice that you have positive orders to protect the Indian Territory from unauthorized settlers and squatters." The order requiring notice from Agent Craig, of the Cherokees before taking any steps toward removing the squatters, Captain Polland informed us, came from General Pope, though the captain said he would go so far as to issue a public notice to the squatters to leave. This he drew up and Agent Gibson had it printed and posted throughout the neighborhood.

As no more Indians came to the council, and the chiefs gave as a reason that the enemies of the bill were using this "presence of the white squatters" as an argument to prevent the Osages from coming in to agree to the act, it was determined by the committee that the secretary of the board should ride over to Columbus, 38 miles east, and telegraph the Secretary of the Interior to see if General Sherman's order could not be executed, and also to ascertain from the Indian Bureau what had become of the presents of goods promised to be forwarded by the 20th for the Osages. (See Appendix 11.)

## INJUSTICE TO OSAGE HALF-BREEDS.

Another difficulty we had to contend with was to satisfy the half-breeds. Many of them had choice farms with improvements—land that was then selling for \$12 and \$15 the acre. To part with this at \$1 25 per acre, the price the bill allowed, seemed unjust, and they were dissatisfied accordingly. To remedy this, Messrs. Farwell and Lang called together the leading citizens of Parkersburg and Independence, and they readily agreed, although the half-breeds were not citizens of the United States, yet considering the justice of their complaints, and the great influence they wielded over the Osages, that they, the half-breeds, should be paid a fair price for their land and improvements; and a public meeting was called to accomplish this, and a committee of prominent citizens selected to protect the half-breeds in their rights. Much solicitude was manifested by the citizens of Kansas that the Osages should sign the bill agreeing to the sale of the land. Without this was done, they could have no legal title to their land, and they suspected or fully believed that the old railroad corporation was vigorously at work among the Osages, endeavoring to prejudice them against the bill, and to their agents was attributed the delay in the attendance of the Osages at the council.



There was considerable discussion about the price of the land on the new reservation, as to how much the Osages were to pay for it. We fully explained to them the instructions of the Government, that they were not to pay more than 50 cents per acre, in case they could not agree with the Cherokees, and they referred it to the President. Colonel Vaun, agent for the Cherokees, was early on the ground, looking after the interest of his people, and was zealous in endeavoring to get \$1 25 per acre for this land from the Osages. So earnestly did he press this that the Osages seemed at one time to be fully persuaded that they must pay that price for the new land, and it hindered our progress considerably. We succeeded, however, in satisfying the Osages that the President would not make them pay more than 50 cents an acre, and as the whole of the land west of 96 degrees was encumbered with the proviso that the Government could at any time settle friendly Indians upon it, and had the final appeal as to the price of it, the Cherokees could not complain if this land, which was only theirs under these restricted conditions, was sold at less price than that of the Osages, which was unencumbered, except illegally by squatters.

#### THE ACT OF CONGRESS ACCEPTED.

All of the above obstacles having thus received attention, the Indians began to come in, and we held repeated conferences with their chiefs. All these things being made satisfactory to them, on the 11th of August they assembled in full council, in the woods on the banks of Drum Creek. All the tribes and bands of the Great and Little Osages, nearly twenty-eight hundred, excepting Watanka of Young Claymore's band, were represented by their chiefs or headmen; and after having the act of Congress again carefully read and interpreted to them, they formally, through their governor, Joseph Pra-ne-pro-pah-she, consented to the act of Congress, agreeing to sell their lands at \$1 25 per acre, and to remove into the Indian Territory, on lands selected for them immediately on the line west of 96°, at 50 cents, or less, per acre. They gave the number of their tribe as three thousand five hundred, and asked that land be secured in the new territory for that number of souls. Before signing the act the chiefs retired for private consultation, and returning after an interval presented the commissioners the following petition, which they wished to have presented to the President. (See Appendix 20.)

For a report of this meeting, speeches, &c., see Appendix 15.

Hearing that Watanka, the head councillor of Little Claymore band, would certainly be in on Monday, 12th August, although the act of Congress had been legally accepted and signed by the officials of the nation, and Messrs. Farwell and Lang had been compelled by other duties to leave, the secretary remained to meet Watanka. This chief, also, after having fully asserted his dignity and right to be consulted, signed the act.

Immediately on the arrival of the secretary of the board at St. Louis, on the 14th instant, he telegraphed, to the Secretary of the Interior notice that the Osages had consented to the bill. (See Appendix 34.)

Two of our committee, John V. Farwell and John D. Lang, having separated and gone on other missions to the Indian country, as above referred to, before the secretary had obtained the signatures of Watanka and the other chiefs of Black Dog's band, the official report could not receive their signatures until their return. As the act of Congress was specially definite in all its provisions, and as the Osages had accepted it without modification or change, and the secretary had promptly



telegraphed the Department officially to this effect, the delay has not materially hindered the business. One good resulting from it is, that we are enabled to lay before the board copies of letters, received from the agent of the Osages, Isaac T. Gibson, (see Appendices 18 and 19,) detailing certain gross violations of the promises made by the committee of citizens appointed to see that the half-breeds were protected in their rights of property. The outrages therein detailed are so wicked and unjust that it is to be hoped some remedy may be found to correct them before the President formally issues his proclamation declaring the act of Congress to have become a law.

We have the honor to be, very respectfully, yours,

JOHN V. FARWELL,  
JOHN D. LANG,  
VINCENT COLYER,  
*Committee.*

*Report of the sub-committee on purchases of the board of Indian commissioners.*

Hon. FELIX R. BRUNOT,  
*Chairman Board of Indian Commissioners :*

The committee intrusted with the duty of coöperating with the Government in the purchase of goods and supplies for the Indian Department, respectfully report that since the date of their last report, which was on the 16th of November, 1869, they have been twice called upon by General Parker, the Commissioner of Indian Affairs, to aid in the purchase of goods.

On the 27th day of July, 1870, and while the board was in session in New York, we met the Commissioner by appointment to consult in regard to the purchase of the annual supply of annuity goods, which he was anxious to have sent forward to the several tribes as soon as possible. Your committee, after very careful consideration and examination, decided to abandon the former mode of advertising for proposals, which, in their opinion, had enabled contractors to obtain undue advantage and at great cost to the Government, with corresponding injustice to the Indians. It was decided, therefore, to adopt a form of advertisement in accordance with the well-established and sound commercial principles by which only fair and honorable bidders could obtain a contract.

According to the previous uniform practice of the Indian Bureau, proposals had been advertised for under classes, and the award of the Government was made on the basis of the total amount of the proposals for the class, and not with reference to the value of any one article of the class. The goods were required to correspond with a given sample exhibited in Washington, which was itself often old and one particular brand, besides being exhibited at a distance from the great marts. These facts, as might be expected, deterred many possible bidders from making offers.

To make this long established practice of the Department perfectly clear, let us suppose, for illustration, that a quantity and variety of blankets, as well as other goods, are to be purchased, and the blankets are advertised and the contract bid for, as follows, by two bidders:

## CLASS No 1.

Proposals asked for :

- 1,000 pair 2-point scarlet blankets.
- 1,000 pair 2½-point scarlet blankets.
- 1,000 pair 3-point scarlet blankets.
- 500 pair 2½-point blue blankets.
- 500 pair 3-point blue blankets.

Mr. A's bid :		Mr. B's bid :	
\$3.00 .....	\$3, 000	\$4.50 .....	\$4, 500
7.25 .....	7, 250	5.75 .....	5, 750
8.25 .....	8, 250	6.90 .....	6, 900
3.00 .....	1, 500	5.00 .....	2, 500
5.00 .....	2, 500	6.00 .....	3, 000
Total bid.....	<u>22, 500</u>	Total bid.....	<u>22, 650</u>

The bid is awarded to Mr. A, whose aggregate is just \$150 lower than Mr. B's, who has made out his bid at the lowest market price. This may be supposed to be an advantageous offer, but let it be borne in mind that the following was one of the conditions of the contract: "It is to be understood that the right will be reserved to call for a greater or less quantity of any articles named than that specified in the above at the prices proposed; and all bids for furnishing said articles may be rejected at the option of the Department." The bids, as above exhibited, were awarded to the lowest aggregate bidder for the class, and not to the lowest bidder for each separate article, and accordingly a contract is entered into with Mr. A; and Mr. B and his bid are no more heard of. When the time comes for the goods to be called for shipment, let us suppose that the Government finds that they will require the contractor to furnish:

200 pair 2-point scarlet blankets, at \$3.00 .....	\$600
4, 000 pair 2½-point scarlet blankets, at \$7.25 .....	29, 000
5, 000 pair 3-point scarlet blankets, at \$8.25 .....	41, 250
200 pair 2½-point blue blankets, at \$3.00 .....	600
200 pair 3-point blue blankets, at \$5.00 .....	1, 000
Cost to the Government.....	<u>72, 450</u>

If the bids had been awarded according to the lowest bid for each quantity, the cost would only be \$59,700; or if the award had been to Mr. B., who is supposed to have offered each article at the lowest market value at the time of the proposal, the cost of goods would have been \$60,600, *which would have been a saving of \$11,850 to the Government.*

In accordance with the plan adopted by the committee in July last, we advertised for the quantity of goods required, describing the quality, and asking bids for each article separately, to be accompanied by samples of the goods proposed to be furnished, and all to be sent to the large warehouse on Canal street, New York, which your committee had previously secured for the special examination of the goods. We were careful to see that many of the leading dealers and manufacturers of the goods required had their attention called to the advertisement, and although only 7 days elapsed from its publication till the opening of the bids, there were bids received from no less than forty-six persons, of which seven were informal, and two came a few minutes past 12.

From the offers made by fourteen of the remaining thirty-seven bidders, and from the samples furnished by them, your committee made a most satisfactory selection, retaining the samples until the delivery of the goods. In this we were aided by two competent experts, who were recognized as the Government inspectors. Under these bids, which were



opened by the Indian Commissioner at noon on the 4th of August, 1870, in the presence of your committee and a large number of the bidders, over \$350,000 worth of goods were secured at the very lowest market prices and of the best quality and most improved style required for the Indian tribes.

On the 10th and 11th instant, the chairman of your committee, at the request of the Commissioner of Indian Affairs, purchased in the open market, with the assistance of one of the clerks of the Department, several lots of goods, to the value of some \$4,000, which were shipped or are to be shipped as directed by the Department, and the bills, so far as delivered, certified.

Your committee are satisfied, by their experience in the purchase, that there is no reason why the Indian Department should not be supplied with goods needed by it at the very lowest market price, and in some cases even at a lower rate. The Department, in case of a slight oversupply of any article in the market, is the most desirable of all customers, as the goods disposed of to it do not interfere with the general market, being entirely removed from it.

As regards the quality of our purchases your committee may refer to those members of the commission who were on the frontier in August last. They inform us that the most decided gratification was evinced by the Indian tribes on the delivery of the goods, both the quality and quantity exciting favorable comment. Let us hope, therefore, that our exertions as a committee have contributed something to the great work of convincing these wards of the nation that our President's policy means kindness and fair play to them.

Respectfully submitted by the committee.

GEORGE H. STUART, *Chairman.*  
JOHN V. FARWELL.  
ROBERT CAMPBELL.  
WILLIAM E. DODGE.

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*Report of Commissioner John D. Lang, in relation to Quapaw and other payments to Indians in Kansas and Indian Territory.*

VASSALBORO, MAINE, November 11, 1870.

Hon. FELIX R. BRUNOT, *Chairman*:

ESTEEMED FRIEND: I received thy kind letter of the 14th instant, and having noted its contents, will say, in reply, that I was present at the payment to the Creeks last month, agreeably to Secretary Cox's request, and take pleasure in saying that it was conducted in an orderly manner, and in the spirit and according to the letter of the Secretary's written instructions to Paymaster Williamson.

No allowance was made for outside agents, although demanded by persons who claimed one-third of the \$100,000 to be paid to the Creeks, as fees for services as attorneys or agents. Each Indian whose claim was substantiated received the amount due him direct from Williamson, and then handed it to another person to recount for the Indian's benefit and insure its correctness, and this course was pursued until the whole roll (except a few absentees to be called next morning) was paid out, which took place sixth day, Friday.

I left in the afternoon for Fort Gibson, to take the early stage from there for the Ottawas. In order to spend the Sabbath with them I rode day and night, and arrived there early first-day morning, and attended



their meeting for religious worship, which was conducted by them in an orderly and Christian manner. I also attended the funeral of the wife of a young man, who in his boyhood acted as my interpreter when the regular interpreter was absent, during my former visit, in 1842. The attendance at the burial was large; it was conducted very much after the usage of their white neighbors. Several Indians, men and women, from the Wyandott, Seneca, and other tribes, were present. Much affectionate and tender feeling was openly manifested, showing respect for the husband and for the deceased, who was beloved by all. I had a favorable opportunity, in the few days I spent with the tribe, of learning their character and business habits. I believe them to be improving and anxious for the schooling of their children, for the improvement of their farms, and for providing good houses and other buildings. A good and well-finished school-house was built last year by the younger men of the tribe, in which is a school supported by the benevolence of Philadelphia Friends. Having visited many of the tribe, I met, by request, several of the principal men and chiefs in council, and heard their grievances and complaints for want of funds, for schools, &c. I believe them deserving the attention of the benevolent. I went from this tribe to the neighborhood of the Quapaws and the agency, where \$90,000 was to be paid to them, to the Senecas, Shawnees, &c., and soon found there was to be trouble. I telegraphed to Lawrence for Superintendent Hoag to come immediately, which he did. We learned there was a demand for \$30,000, one-third of the amount due these small tribes. I had previously ascertained that these Indians were very poor and needy, more so than any I had seen before, and needed every dollar to pay for provisions to support life. The claim agent was called General Blunt. He pressed his claim for services, as attorney or agent, for \$30,000 of the \$90,000, *only* 33½ per cent. I could not as a commissioner respect the claim, and requested a suspension till advice could be had from the authorities at Washington. If the matter had been in the hands of E. Hoag and myself, we could have suspended the payment. This was our united and expressed sentiment.

We were informed by Paymaster Williamson, and Blunt, I think, repeated the same, that the authorities at Washington knew all about the transaction; hence I could do nothing further, as I had not received the special instructions from the Secretary, which I understood were to have been sent to me in care of the postmaster at St. Louis, and which I had called for. I had called at the Secretary's office, in Washington, in his absence, and no copy of instructions could be found by the clerks; this gave me no small embarrassment.

To return to Blunt. Before the payment commenced, he called the attention of the Indians and others present and made a speech, which reflected hard upon our Government, and at the same time attempted to prove that no one but himself could have carried this matter through and obtained this honest debt for the Indians; that the \$30,000 would not give him much, as he had already paid out \$6,000, and expected to be called upon for \$10,000 more, (to whom was this paid, and to be paid?) and besides, he was bondsman to the amount of \$100,000 for the faithful performance of these payments. Paymaster Williamson informed Superintendent Hoag and myself, and perhaps the two Friends present, that the verbal instructions from Secretary Cox were, to pay the money into the hands of the Indians, even if they cast it into the Arkansas River, or disposed of it in any other way, and under these circumstances he manifested his willingness to go on with the payment. I witnessed the commencement and saw the money was being



placed in the hands of the Indians, as among the Creeks; but it was being recounted by the Indian sub-agent, (Mitchell, I think,) while Blunt, sitting at the same table, appeared to be taking his pretended claim of one-third of the poor Indian's money for his services in Washington, &c. I have omitted mentioning that Blunt produced a printed power of attorney signed by the Indians, individually or otherwise, and witnessed by the above Government sub-agent. My mind was so disturbed at the course determined on to be pursued, that I did not remain long, feeling it best to keep my hands clear from any further part in it; and still I continue to feel so since my return home. I have endeavored to give a just and true account, so far as my memory serves me; and while Superintendent Hoag and myself agreed fully in sentiment, we could not in conscience respect the claim agent's demand, or believe it right; for we consider that, so long as the Indians are the wards of the Government, receiving its fostering care and provided with its means, they have no right to waste the appropriations granted them by Congress in bargaining or paying such exorbitant fees to selfish agents without the consent of these who have immediate charge of the affairs, and are to a certain extent their guardians.

If such claims are allowed there will be a legion of leeches, stimulated by this man's success, crowding around the poor cheated Indian, eager to become agents for him that they may fatten on his spoils and become as bloated with ill-gotten gains as many of their predecessors have been. The scramble has already commenced. They will rob the red man of his annuities, his hunting grounds, his houses, lands, and furs—all in the name of the Government, until the latter will resemble the man described by the poet:

With one hand he dropped  
A penny in the urn of poverty,  
And with the other took a shilling out.

Congress and tax-payers, disgusted, will then cut off all appropriations. Those who are well acquainted with the Indian character know that he is no match for the overreaching dishonesty and cupidity of the selfish white man; and one of the objects for which the commissioners were appointed, as I understand it, was to assist in extricating him from these snares and advancing him toward that better civilization which I trust is in store for him. With kind regard, hoping that thy health will hold out, and mine also, and that we may meet again as a board when the interests of our mission require it.

I am, respectfully, thy friend,

JOHN D. LANG.

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*Report of committee appointed by Board of Indian Commissioners to visit the Ockmulgee council, Indian Territory.*

Hon. FELIX R. BRUNOT,

*Chairman of the Board of Indian Commissioners:*

SIR: Your committee, consisting of Robert Campbell, John D. Lang, and John V. Farwell, appointed to attend the grand council of the tribes in the Indian Territory, held under provisions of acts of Congress, beg leave to report that they met the said council at Ockmulgee after it had been in session several days. Delegates were in attendance from the following nations and tribes: Cherokees, Muskagees or Creeks, Choctaws, Chickasaws, Seminoles, Ottawas, Eastern Shawnees, Quapaws,



Senecas, Wyandotts, Confederates, Peorias, Sacs and Foxes, Great and Little Osages, and Absentee Shawnees. (See Appendix 35.)

We found that the committee on the permanent organization of the Territory into an Indian government, subject to the several treaties of the United States with the different tribes, had made a unanimous report in favor of the measure.

It was our pleasure to listen to the discussions upon the report, which were conducted with dignity and ability, after which the report was adopted by a vote of 48 to 5.

Your committee were impressed with the great importance of this council, as bearing upon the execution of the humane policy of the administration, uniting as it does the several civilized tribes to cooperate as a unit with the Government, to effect the permanent settlement of the wild tribes, as well as for their own mutual advancement; and knowing the tenacity with which the Indians hold to their tribal relations and treaty stipulations, they were fearful that the objects of the council might not be attained without special effort on their part and by the Superintendent and other true friends of the Indians. Your committee, therefore, cannot but express their belief that the hand of Providence has opened the eyes of these tribes to see this opportunity, just at the time when the Government and the public sentiment of the country are especially enlisted in their behalf, and that the meeting of this council is but the beginning of an epoch in the history of the red man.

After the adoption of the report alluded to, an able committee of twelve was appointed to draught a constitution to conform to the treaties under which this council was called, the members of which are very much in earnest in the matter. (Appendix 36.)

In our visits to the various tribes of Indians the present season, we are happy to say that we have witnessed much to encourage us in the belief that the present policy of the President and Congress in behalf of the Indians of the United States is showing evidence of success. It inspires courage and confidence in the Indian, and we trust will give still greater encouragement as time rolls on by the continued fostering care of Congress and the faithful performance of the duties devolving upon its agents.

We were gratified and deeply interested in a visit to the legislature of the Cherokee Nation, convened at Talequah, consisting of a senate and lower house, a governor, or chief, and council. We were kindly received in a joint session of both houses, and witnessed a display of talents, ability, intelligence, and dignity in the management of business becoming any legislative body of white men. At Ockmulgee we attended the sittings of the general council, and were equally impressed with the dignity and intelligence manifested by the delegates in attendance from the various tribes. Your committee in their visit also witnessed fresh evidences of the improving condition and advancement toward a general civilization of the Indian race under the new peace policy of Congress.

On the various important subjects claiming the attention of the council, grave deliberation, good order, cordial expressions of sense and duty, with a high tone of intelligence, prevailed.

The general interest manifested for the education of their children is very encouraging. Although they have numerous schools in operation, still we learned they were desirous of increasing the number, and needed more in order to extend to all equal advantages in this respect.

The country of the Indians is of superior quality, (Appendix 37,) with



an abundant supply of timber and excellent land, and is capable of sustaining a large number of the Indians now in the United States. Comparatively a small portion of the lands in the Territory are at present improved, and there is a great deficiency in the roads, and a lack of facilities for reaching market, and a neglect of general internal improvements.

Your committee are particularly pleased with the exertions made by the civilized tribes for the purpose of inducing the wild tribes of the plains to come in and adopt the habits of those who have preceded them in civilization. The project of inducing these wild tribes to come under the care of the civilized tribes, through the instrumentality of the latter, in connection with white people, looks already very encouraging, and your committee cannot but hope that special attention will be directed to this subject. Its success will tend greatly to solve the Indian problem, and put an end to future Indian troubles on our extreme borders. In our intercourse with the assemblies we endeavored to explain the earnest wish of our Government to unite and encourage Indians in their efforts to congregate and adopt all the usages of civilization.

In all our meetings we found kindly and courteous responses to our suggestions, and we trust that before many years elapse there will be a large aggregation of the wilder tribes in the ample territory now specially occupied by Cherokees, Choctaws, Chickasaws, Creeks, and other Indians, who have abandoned nomadic life, and are now happy and prosperous.

In conclusion, your committee express their belief that frequent visits to the Indians and their councils by persons in authority will continue to meet with happy results, as tending to renew a general confidence in this special friendly movement of the Government and to secure the coöperation of the friends of the Indians.

ROBERT CAMPBELL, *Chairman,*  
JOHN V. FARWELL, *Chicago,*  
JOHN D. LANG, *Maine,*  
*Committee of Board to Visit Ockmulgee Council.*

*Supplementary report of the committee appointed to consult with the Osages.*

*To the Board of Indian Commissioners:*

Your committee, to whom was referred the letter of Isaac T. Gibson, United States agent for the Great and Little Osage Indians, under date of December 24, 1870, forming a part of our report, marked Appendix 18 and 19, upon our action at the council of said Indians, held at their council grounds on Drum Creek, Kansas, in the month of September, last, with instructions to make a supplemental report upon the facts therein contained, beg leave to report that, preliminary to the holding of said council, learning that there were half-breed and full-blood Indians who had improved farms upon the reservation of said Indians, who, on that account, would strenuously oppose the acceptance of the law of Congress by which their title to the lands in question would be extinguished, your committee called a council of such persons, which was generally attended, to consider a feasible plan by which they could be induced to accept of said law, and at the same time secure their just rights arising from those improvements in which the tribe, as such, had no interest.



The majority at that time seemed to be opposed to accepting the law on any terms; but in no event would they do so again, except upon condition that they should be protected in their right to enter their claims as other actual settlers, who had improvements upon them, could, or in selling them to settlers who should be protected in said right to enter, by virtue of their occupancy and improvements and sale. This seemed so reasonable to your committee that they secured of the prominent citizens of Independence, a large town in the immediate vicinity of these Indian settlements, at which it was suggested that a committee be appointed to meet your committee and arrange terms that should be satisfactory to Mr. Gibson, the Indian agent; and if they could not agree, to leave the matter to Commissioner Lang. For the reason of said committee and their proposition, see Appendix 13 to the original report.

In the night succeeding the appointment of said committee to coöperate with us, each one of them proceeded, under cover of darkness, to lay the necessary foundation to secure preëmption rights upon the claims of an equal number of Indian settlers.

The following day we were waited upon by the citizens' committee, who frustrated the proposition just referred to; and also by the Indians whose claims had been thus seized during the night, and who were so enraged that they would listen to no proposition, alleging that men who were capable of doing what they had done could not be depended upon to carry out any agreement that they should consent to make.

During the day delegations from the towns of Parker and Liberty waited upon us at the agency to ascertain the progress made in the object of our mission, who, upon learning the facts connected with the council with the half-breeds, took measures to call a mass-meeting of citizens settled upon the Osage reservation, for the purpose of pledging themselves as a *community* to protect the half-breeds fully to the extent of their demands should they be deemed fair by their agent and your committee. Such meeting was held previous to the grand council and was very largely attended.

Resolutions were drawn up and unanimously passed, after a free and full discussion of the subject, guaranteeing to the half-breeds full protection in their right to enter their claims the same as white settlers, should they desire to remain upon them, and if not, of selling them, and extending to purchasers of such Indian claims the same protection in their right to enter.

A committee was appointed by said meeting with promise to enforce said resolutions, and the community was pledged to see that they were enforced. (See Appendix 42.) Your committee, desiring that no conditions should be entailed upon the execution of their mission in obtaining the consent of the Indians to the law of Congress, by which over twenty thousand white settlers were to obtain title to homesteads, advised these half-breed settlers to accept of these pledges and consent to the law of Congress unconditionally, believing that under the circumstances they would be faithfully fulfilled. The Indians still insisted that these people only wanted them to sign the bill by which their titles would be extinguished, and then they would disregard those pledges entirely. Finding that there was no other alternative but to pledge our influence with the Government to secure all that this mass-meeting had guaranteed, or fail to get the coöperation of these half-breeds, we did say to them in case they signed the bill that we would use our influence with the Government to compel those twenty thousand squatters to redeem their pledges to the very letter.

Believing that your committee had been intentionally deceived by



those white settlers, whose interests were much more in jeopardy than that of the Indians, who, it seems, were not deceived by their false promises, and would only accept of our personal assurance that the Government would not suffer them to be defrauded, we deem it of grave importance that the grievance, as complained of in the letter of Agent Gibson, which has induced your honorable body to call for a supplemental report upon the statement of facts therein contained, should command the immediate attention of the Secretary of the Interior for full and ample redress, first, because justice demands it; second, because this being the first agreement of importance in which your commission has acted on behalf of the Government in the removal of an Indian tribe into the Indian Territory, where it is the intention of the Government to remove others as rapidly as their consent can be obtained, their influence in making necessary negotiations with this tribe, and with others, will be greatly impaired.

Should this case be allowed to pass without such action by the Government as will speedily make good the promises of your committee, necessarily given to secure such great benefits to those who have so wickedly disregarded their words to these helpless wards of the Government, not only is it evident that in justice to themselves the commission could not consent to use their influence in like negotiations in future, if such transactions are allowed to pass without just and speedy redress. That such action will be taken by the Government as the exigency of this case requires, we cannot for a moment doubt.

JOHN V. FARWELL.

JOHN D. LANG.

VINCENT COLYER,

*Secretary.*

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*Report of Commissioner Vincent Colyer on the present condition of the Nez Perces in Idaho, the Umatillas in Oregon, obtained from personal inspection, and of the Indians in Alaska Territory.*

It was the 21st of October when I arrived at Umatilla reservation in Oregon. The foliage was bright in its autumnal color; the valley curtained with a purple haze; brown prairie and grey clouds, with the silver thread of the beautiful river glistening through it, all opened before the delighted vision of the tired traveler so beautifully that one could well understand the joy with which the early emigrant greeted the scene as he emerged from the rough roads of the Blue Mountains, on his westward journey to his new home in Oregon.

We were fortunate in finding the agent, Major Boyle, and his excellent lady, Father Vermeersch, the Jesuit missionary, and the other officers, at home and at their duties.

Major Boyle at once made me feel at home, and, after showing me the agency buildings, school, store-house, and blacksmith shop, kindly read to me his annual report, as follows:

UMATILLA INDIAN AGENCY,  
Oregon, August 15, 1870.

SIR: I have the honor to submit this my second annual report of the condition of Indian affairs at the Umatilla Indian Reservation. In this report I will try to classify, as far as possible, each department under its own appropriate head.

#### INDIANS ON THE RESERVATION.

The three tribes of Indians under my charge, consisting of the Walla-Wallas, Cay-

uses, and Umatillas, numbering in aggregate eight hundred and thirty-seven souls, as per census taken by me July 6, 1870, and classified as follows, viz:

Name of Tribe.	Name of Chief.	Men.	Women.	Boys.	Girls.	Total.
Walla-Wallas.....	Homli.....	57	87	28	29	201
Cayuses.....	Howlish-Wanapo.....	95	140	57	42	334
Umatillas.....	Wenap-Snoot.....	92	144	41	25	302
Total.....		244	371	126	96	837

#### INDIANS OFF THE RESERVATION.

There is at present living on the Columbia River, belonging to these tribes, and other bands who were parties to the treaty of 9th June, 1855, numbering in aggregate seven hundred and eighty-five souls, who never have partaken of the benefits of the treaty, classified as follows, viz:

Name of tribe.	Name of chief.	Men.	Women.	Boys.	Girls.	Total.
Umatillas.....	Wenap-Snoot.....	38	48	41	27	154
Walla-Wallas.....	Homli.....	138	149	57	60	404
Willow Creeks.....	Boscuppus.....	27	35	29	23	114
Columbia Rivers.....	Shu-pu-pee.....	32	41	23	17	113
Total.....		235	273	150	127	785

Since taking charge of this agency I never have relaxed my efforts to bring here all Indians who were parties to the treaty. During my visit to them in company with the superintendent this spring, and again this summer while enumerating them, I used all moral suasion at my command to have them remove to the reservation, to take land and till it as the other Indians on the reserve are doing, but all I could say or do was of no avail. They are wedded to their mode of living, and will not change, unless removed by force, and, indeed, I am positive it will be best to do so. Their remaining away induces others, bad Indians, to follow their example, and banding themselves together committing depredations on the white settlers about the country, which is charged to Indians on the reservation, causing a great deal of trouble to the agents, while the perpetrators levant back among those Indians, and can never be brought to justice. I would most earnestly recommend that these bands be gathered together and removed to this or some other reservation.

#### AGRICULTURE.

On making my last report, and before I had an opportunity of judging the amount of good land in this part of the State of Oregon, having but recently arrived from the East, where all land is tillable, I was of the opinion that only a small portion of the reservation was fit for cultivation, (in a manner it is so,) but when I compare it with the surrounding country, "made up of sand and sage brush," I am convinced that the Indians have the best land in Eastern Oregon.

We have under cultivation, this year, about 900 acres, viz: Wheat 600 acres, estimated yield 12,000 bushels; oats 100 acres, estimated yield 3,000 bushels; corn 50 acres, estimated yield 1,500 bushels; potatoes 75 acres, estimated yield 7,000 bushels; hay 50 acres, estimated yield 50 tons; vegetables 25 acres, estimated yield 25 tons.

This, I am confident, is a low estimate, and is exclusive of the department farm, some 100 acres, viz: Wheat 15 acres, estimated yield 400 bushels; oats 35 acres, estimated yield 900 bushels; hay 60 acres, estimated yield 75 tons; potatoes 3 acres, estimated yield 450 bushels; vegetables 2 acres, estimated yield 3 tons.

This will be an ample supply to meet the wants of the Indians during the year and plenty for seed in the spring.

The last year's crop was almost a total failure, on account of the great drought, as stated in my last annual report. A great number of Indians were short of seed in the spring, but sufficient for all their wants was supplied by me.

It has been very gratifying to me to see that quite a number of the Indians remained on the reservations this year to attend to their farms, and did not levant to the mountains to hunt and fish at the time when their farms needed their constant care.

Several who have good farms have informed me that in future they shall rely mainly on the produce of the soil for a livelihood, give up the aboriginal habits of their



fathers of subsisting on roots and fish, and copy after the white man in the way of clothing and mode of living.

#### STOCK.

The wealth of these Indians consists chiefly in horses and cattle. It is almost impossible to obtain information as to the exact number, but I should estimate the number and value as follows, viz: Number of horses 10,000, cash value \$150,000; number of cattle 1,500, cash value \$30,000; number of swine 150, cash value \$450; number of sheep 75, cash value \$235.

The amount of grass on the reservation is without limit; the horses and cattle are always in splendid condition, and scarcely need any care in winter, as grazing is good all the year, rendering it a very popular as well as profitable business to raise stock.

The department stock turned over to me by my predecessor consisted of seven oxen, three mules, and three horses, all old and superannuated animals. One mule died of old age in the fall, and one ox this spring. However, I am pleased to report that the superintendent has furnished this agency with two good teams of horses, all that is required for use at present.

#### AGENCY BUILDINGS.

If I may be allowed to call them such, were erected with green cottonwood poles and daubed with mud. Decay has greatly depreciated their strength, rendering living in them longer unsafe. I would respectfully recommend new buildings, and that they may be erected near the mill site, the most desirable location on the reservation for an agency, and to enable the agent to superintend the mills daily. At present it is impossible for him to do so, located, as they are, a distance of seven miles from the agency. I called attention to these facts in my last report, but no response has been elicited. As we have a good saw-mill on the reservation, a very small sum of money would suffice to erect all the buildings required.

#### IMPROVEMENTS.

During the past year a new blacksmith's shop has been erected, the old one having been destroyed by fire, the milldam rebuilt, the fences about the department farm thoroughly repaired, and thirty acres of grass land inclosed; so, hereafter, there will be no lack of hay for the department stock.

#### EDUCATIONAL.

I regret to say that the Indian school does not promise as much success for the past year as I could wish. Father Vermeersch, principal teacher, has no doubt faithfully performed the duty assigned him, but the system of education which is carried on at this agency, a day-school, is not adapted to the wants of the Indians. A manual labor boarding-school should be established where the scholars could receive useful instruction in the arts of husbandry, where the English language should be the only language used and spoken, and clothing and food should be furnished so as to prevent them from returning to their former habits of living. I inclose herewith the report of the principal teacher.

#### HEALTH.

The health of the Indians has been generally good. Among the adults few deaths have occurred; a number of children, through the neglect of their parents to call the physician employed at the agency to administer to them, but relied on the skill of their own medicine men to perform wonderful cures, have consequently died.

#### MISCELLANEOUS.

During the last year, with the exception of two cases, but few misdemeanors or crimes of a serious nature have occurred. About the 25th of March there was stolen from the Indians of this reservation a band of thirty head of horses. The fact was reported to me at once. I sent Indians in pursuit over all the principal roads throughout the country; the Indians who followed the road leading to Le Grande came upon the band in possession of three white men, at or near Baker City, and with the aid of the pass I gave them elicited the sympathies of the people, caused the arrest of the parties, whom I caused to be prosecuted at the last term of the circuit court, and convicting two, who were sent to the State prison, and the other bound over for trial at the next term of court. Another case was a white man who sold liquor to an Indian; I caused his arrest, and he is now awaiting trial at the next term of the United States district court at Portland, Oregon.

At the present time rumor is current that Congress has recently enacted a law author-



izing the President of the United States to treat with the Indians of this reservation for the purchase of their lands. It is my opinion—obtained by conversation with the principal men of the different tribes—that there will be strong opposition to any treaty that will remove them from their present homes; but by judicious action on the part of those who manage the affair, a treaty may be consummated, allowing them a fair compensation for their improvements on their lands, and positive assurance that they will not again be removed.

They are at present (in consequence of the oft-repeated theme that their farms are to be taken from them and given to the white settlers) quite dispirited, and unless those who are sent to treat with them, they know to be true friends, and have confidence that they will not defraud them, it will be almost impossible to bring them together, or talk on the subject appertaining to the treaty.

Land in this section is much sought after, and the country being rapidly settled up, it is hardly to be expected that the Indians can retain this reservation much longer, unless the strong arm of the Government protects them. Daily am I called upon to notify the white settlers that they are encroaching upon the Indians' lands; and although it would seem unchristianlike to take them from their homes where they have passed their childhood, and the graves of their fathers whom they love to talk of and repeat the stories of their many brave deeds, yet, knowing as I do that they must go sooner or later, and the many disadvantages they will have to labor under if they remain, I would advise them to go, if a permanent reservation can be procured for them.

It is due from me to say that the employés at this agency have been faithful and very efficient in the discharge of their duties, and always ready and willing to impart instruction to the Indians.

Allow me here to remark that this agency has been established for the space of ten years, and I regret exceedingly to be compelled to state that I have been completely disappointed with what I see about me—a group of old dilapidated log cabins, where good buildings should have been erected according to the treaty. No improvements of any great value are here, to account for the large amount of money that has been expended during these years.

I do not wish to speak disparagingly of any of the former agents, but I am convinced that the whole system of dealing with the Indians, as now practiced, is wrong; the provisions of the treaty should have been carried out according to the promises, and the Indians should be made to respect their obligations under the treaty, which they do not and will not do unless compelled by force, and that should have been done long ago.

The only consolation with me in regard to the matter is my own conviction of having done everything in my power to advance and instruct the Indians, and having faithfully done everything for their benefit.

Hoping that my official acts for the past year have met your approbation,

I am, very respectfully, your obedient servant,

W. H. BOYLE,

*First Lieutenant U. S. Army, U. S. Indian Agent.*

This report is so complete and truthful that it leaves me but little to add.

As Lieutenant Boyle says, the agency buildings and their location are wretched. New buildings should be erected near the saw and grist-mill, where the land is higher and better, and the whole would be convenient.

I am not prepared to agree with him that the Indians must remove from the reservation sooner or later. If they are protected in their just rights, as they can and I trust will be, they can not only remain where they are, but they will, under honest and capable agents and teachers, rapidly advance in civilization, and their brethren off the reservation can be brought on to live with them and occupy the land to advantage, both to themselves and their white neighbors. They have some good and industrious farmers among themselves, and they are as intelligent and promising as their brethren, the Oneidas of Northern Wisconsin or the Cherokees of the Indian Territory.

The chiefs were called together during my visit by Agent Boyle to meet me, and the act of last session of Congress providing for the appointment of a commissioner to submit the question of their removal from



the reservation, sale of their lands, and location in another place, was read to them. The chiefs said that they had heard of this act; that they had nothing to do with its getting up, were never consulted about it, nor had heard of it until it had passed Congress.

They earnestly protested that they not only did not wish to sell their present reservation nor remove to any other place, but they distinctly said that they would never leave except they were compelled to go by force. They called attention to their farms, houses, mills, fences, cattle, and crops, and asked what reason there could be why they should be removed and be compelled to go back to the forests and to barbarism again. They prayerfully begged that I, as a commissioner coming from the President and Congress, would intercede on their behalf and use whatever power the Great Spirit had given me to prevent this great injustice.

To say that I was deeply touched by their earnestness and the palpable justice of their representations and protests would be using very mild language. My regret is that I am unable to convey to others a graphic idea of the scene, the language, and the facts of their situation.

The school is in a very unsatisfactory condition, as the teacher, Rev. G. A. Vermeersch, has reported. There were only seven scholars attending while I was there, but the usual number was fifteen or seventeen. Father Vermeersch is an earnest and kind-hearted man, and ought to have a better school-building and larger appropriations. His official report is herewith appended :

UMATILLA INDIAN RESERVATION, OREGON,  
*August 11, 1870.*

SIR: Complying with the rules of the Department, I have the honor to submit my annual report.

I do not really know if I am allowed to say that the school under my direction has been in a flourishing condition. The number of scholars attending has been from 17 to 21, males and females. Every one visiting the school seems to be satisfied with their progress in reading and writing the English language. For myself, I must confess that the school does not realize all my hopes and desires. But I hope you are convinced that it is not from want of care or labor on my part, but rather from the deficiency inherent in the system itself. A simple day school among Indians is quite insufficient to impart to them all the elements needed to their civilization. Children come to school when advanced in years, and after they have already contracted the habits of a savage life, and they are moreover allowed to return continually among their own people, who certainly are not able to communicate to them any higher ideas than they themselves possess. I know this to be the conviction of the Indian Bureau at Washington, but why, with the full knowledge of this state of affairs, they do not make any improvements in this branch of civilization and try to erect boarding and industrial schools, is what I can scarcely understand, and which they may better explain than myself. After all, I am happy to state that this year a great improvement has been introduced in the school. Mrs. Boyle, with a commendable zeal for the welfare of the Indians, has not hesitated to take the girls of the school under her care twice a week, in the afternoon, and teach them to sew and make their own clothing. She has also made a full suit of clothes for the boys out of material furnished by the Department. The good resulting from it can scarcely be overrated. Besides teaching them so necessary a branch of civilization, it keeps the children clean, and as they are allowed to keep for their own use all the garments they can make, it is a great inducement to bring them to school.

It is now for four years that I have called the attention of the Department to the dilapidated condition of the school-house, but, I feel sorry to say, without any success. I hope this year something may be done, as it will be almost impossible for the children or myself to occupy a house the roof of which will not keep out the rain, and where the wind and dust have free access during the coming winter.

I am, sir, your obedient servant,

G. A. VERMEERSCH.

Lieutenant W. H. BOYLE, U. S. A.,  
*United States Indian Agent.*



I regret that the Indian Department will lose the services of Agent Boyle, though the Army, of which he is so efficient an officer, will be much the gainer.

In harmony with the system adopted by the Government of placing the Indian reservations under the care of those religious bodies whose missionaries have charge of the schools, the Umatilla should be assigned to the Roman Catholics, as Father Vermeersch has been the only teacher for six years, and the records of the Department show that before his appointment the tribe had repeatedly asked for a Jesuit priest as a teacher.

*Postscript, February 1, 1870.*—Agreeably to the above suggestion and facts, the President has assigned this reservation to the Roman Catholics, and the appreciation of the reverend father acknowledging the fact is here appended :

UMATILLA AGENCY, January 14, 1870.

DEAR SIR: Your kind note of the 31st of December, 1870, has just been received. I thank you sincerely for announcing to me the appointment of Mr. Simms. I assure you that your intervention, even before you had received my note, to have justice done to the Roman Catholics, has entitled you to my gratitude, and given me a high idea of your impartiality for any particular denomination. Hoping you are well, and wishing you every prosperity,

I remain, most respectfully, yours,

F. VERMEERSCH.

Knowing the deep interest you take in the welfare of the Indians, I wish you to take care that none but good and reliable persons be appointed to come and make a treaty with the Indians at this place; this, I think, is the means to prevent fraud and imposition.

F. V.

#### THE NEZ PERCES RESERVATION IN IDAHO.

The Nez Perces agency at Lapwai, in Northern Idaho, is one of the most attractively located of any in the United States. The valley is beautiful, the agency buildings good, and the officers hospitable and intelligent; but I am obliged to confess that the good being accomplished for the Indians is very limited. I found as many well-to-do Nez Perces occupying farms off the reservation as upon it; both going and returning I met them with their large herds of ponies and traps on their way to Walla-Walla, or other trading towns in the neighborhood.

With the exception of those who came to the mill to have their wheat and corn ground—and there were many of these—the agency and all its expensive machinery seemed to be of but very little use to the tribe. Although it was the 25th October, there was no school opened; the Government saw-mill was not running, and nearly all the officers and employés, with the exception of the miller, seemed to be occupied with their own private affairs. Notwithstanding there is a saw-mill belonging to the Government, in running order, close at hand, capable of doing all the sawing that was actually needed by the Indians, it was lying idle, while a new steam saw-mill had been erected within a quarter of a mile of the other mill, and by private parties who had a contract to put up fencing on the reservation at an expense to the Government of \$60,000.

The fences erected under this expensive contract were spread out for several miles down the valley, inclosing patches of land varying from 15 to 40 acres, some of it ploughed, but hardly an acre of it occupied by an Indian. The object of this extensive fencing and ploughing was in accordance with the provisions of the treaty, which says that when the lands are fenced and ploughed, the "non-treaty Indians" are expected to come in and settle on the reservation; but, in singular indif-



ference or ignorance of the feelings or habits of the Indians, these farms were arranged around an extensive military post in such proximity that officers and soldiers must pass and repass around or through them. At present, as there are no Indians on these farms, the new fences have been broken down, and a road has been opened through the fences and over the new ploughed ground.

If it is possible for the War Department to dispense with the use of Fort Lapwai, or it should be deemed best to remove the garrison many miles further to the northeast, where there may possibly be more danger from hostile Indians, the prospect of bringing in upon the reservation the "non-treaty Nez Perces" would be much more probable. If the troops were removed, the buildings they now occupy would be of much value to the Indians as dwellings; and it would be well for the Interior Department to purchase them. To resort to threats or force to bring in the non-treaty Nez Perces, and place them up and down that narrow valley immediately around the fort, would end in ruin to the Indians and demoralization to the garrison.

To pass through these costly unoccupied farms and to find at the further end of the valley the poor Nez Perces living in their grass and straw tepes (or tents) in the same condition in which they probably lived twenty years ago, is discouraging in the extreme.

At Lapwai, I could see only two houses built for, or occupied by, Indians. One of these was the dwelling-place of Lawyer, the head chief. In a conversation which I had with him in the presence of the agent, he told me that there was as many as fifty Nez Perces families who would prefer to live in log or wooden houses if they had any one to show them how to build, or their boards were sawed at the mill for them. Why this had not been done when there had been a saw-mill at the place so long I did not learn. When I called the agent's attention to these facts, he very frankly said that I must remember that he was neither a philanthropist nor a reformer; that he had been there but a few months, and I was the first inspector who had ever visited the reservation. The captain's remark is true, and I should be sorry if what I have said above should do injustice to him. I believe that both he and Lieutenant Wham, his predecessor, had done their best, and effected many reforms. The abuses date back further, and belong to a bad general system, whose ill effects may be found running through nearly all the Indian agencies.

Captain Sells informed me that at Kamia I would find things much more satisfactory; that a new saw and grist mill had been recently erected, and some four or five new dwellings for the Indians erected. The lateness of the season compelled me to hurry home without visiting it.

Before leaving Lapwai, Lawyer and a number of the other headmen of the tribe assembled together, and called upon me to say that they had understood that under the new policy of placing the Indian reservation under the care of the Christian missionary societies, that they had been assigned to the Roman Catholics, and they wished to inform me that this was a mistake and contrary to the wishes of a majority of their tribe. They said that for over thirty years the American Board of Commissioners for Foreign Missions had maintained a mission among them, and that the Rev. H. H. Spalding had been for many years their teacher and missionary. They produced and presented to me a copy of the Gospel of St. Matthew, translated into their language by Mr. Spalding, and printed at Lapwai years ago. They earnestly asked that they might have an agent in harmony with their faith. The chiefs pointed



out to me the old mission-house where Rev. Mr. Spalding taught them, and they spoke with affection and gratitude of his labors.

P. S.—February 1. On reporting these facts on my return to the President, he ordered that the Nez Percés should be assigned to the Presbyterians, and that the Roman Catholics should have the Umatilla reservation, in Oregon, which had previously been assigned to the Methodists, through mistake.

At Lapwai, as well as at Umatilla, I am indebted to the officers for much attention and kindness.

Captain Sells's official report is herewith appended.

OFFICE INDIAN AGENT,  
*Lapwai, Idaho, September 5, 1870.*

SIR: In accordance with instructions received from the Department of the Interior, Office of Indian Affairs, Washington, D. C., June 10, 1870, I have the honor to submit my annual report for the Nez Percé Indians, for the year ending August 31, 1870.

By virtue of Special Orders No. 28, from Headquarters of the Army, Adjutant General's Office, Washington, February 3, 1870, I was directed to report to the honorable Commissioner of Indian Affairs for assignment to duty as Indian agent.

February 10, 1870, I received instructions from the honorable Commissioner to report to Colonel De L. Floyd Jones, superintendent of Indian affairs for Idaho, for assignment to duty as agent for the Nez Percé tribe of Indians. April 1, 1870, I relieved Lieutenant Wham and entered upon my duties.

It is impossible for me to arrive at any data upon which to base my report for the period required by circular letter of instructions from the Commissioner, prior to April 1, 1870, there being no information of any kind in this office.

The Indians apparently have been well satisfied with the administration of affairs since the arrival of the army Indian agent.

There has been an immense amount of work done in fencing and plowing their lands. Heretofore comparatively nothing had been done, although the appropriation was ample to provide them all with good homes if the stipulations of the treaties had been faithfully carried out. The work should now be pushed forward as rapidly as possible to completion.

There has been some dissatisfaction among the Indians living off the reservation, in consequence of a misunderstanding of the amended treaty of 1863. They seem to be of the opinion that they will not be compelled to leave their present homes and move on the reservation. I have uniformly told them that they must eventually move on; that the Government has made provisions for fencing and plowing their farms on the reservation, and they must come and cultivate them.

Quite a number of them have gone to the buffalo country this fall. I do not anticipate that any trouble will grow out of it, as they are all peaceable and quiet. Their object is to trade with the plains Indians for robes, &c.

Colonel Jones visited the agency about the 1st of July, upon my representation that there was some dissatisfaction with Lawyer (head chief) among the tribes. The chiefs were called together for the purpose of electing a new chief, but very few came to the agency. There not being a sufficient number to justify their making a choice, the election was postponed until fall, in case a change should then be desired. There is no possible objection to the present head chief, (Lawyer.) The reason for the hostility to him by the Indians is in consequence of his alleged misrepresentations of the additional treaty stipulations. I have invariably informed both the treaties and non-treaties that they must inevitably move on the reservation, and, as far as present indications go, quite a large number will come on in the spring, in addition to those already living here.

The saw and grist mills at Kamia are in complete running order. The saw and grist mills at this place are old and almost worn out. There should be an appropriation of at least \$10,000 to purchase entirely new machinery for both mills. In one or two years they will be entirely unfit to do the work required. I am erecting a new school building, 26 by 50 feet, two stories high, which will be large enough to accommodate all the scholars that will attend.

The crops this year have been unusually good, and I do not anticipate that there will be any scarcity of food the coming winter.

I inclose herewith the reports and statistical tables required by circular letter from the Office of Indian Affairs, dated June 1, 1870.

Very respectfully, your obedient servant,

D. M. SELLS,  
*Captain United States Army and Indian Agent.*

HON. E. S. PARKER,  
*Commissioner of Indian Affairs, Washington, D. C.*



Leaving the Nez Percés reservation on the 27th of October, by stage, to Umatilla, on the Columbia River, thence by steamboat and railroad to Portland, Oregon, where I arrived on the 1st of November. Here I met with several old friends, officers of the Army, whom I had seen in Alaska the year before. As these officers had recently returned from that Territory, I learned several interesting facts concerning Alaska.

Nearly all the troops, with the exception of two companies left at Sitka, have been withdrawn from there. Gold had been discovered on the Skerna River, on the southern border of Alaska, and a large number of miners and traders were flocking in there.

Nothing whatever had been done by the Indian Department for the Indians of Alaska, and the only power now left there, except one revenue cutter, was the Alaska Commercial Company, the great fur seal monopoly, who virtually had the Kenai Peninsula, Aleutian Islands, the fur seal islands of St. Paul and St. George, and the northwest coast of Alaska, in their undivided control.

The poor Indians on Oukamaok Island, whom I had the privilege of relieving from starvation last year, (referred to on page 91, report of 1869,) finding themselves without any means of communication with the outer world and likely to starve, had all removed to the island of Kodiak, two hundred and twenty miles distant, traveling this great way on the open sea in bidarkas or skin canoes.

I earnestly trust that a portion of the \$100,000 appropriated by Congress for "industrial and other schools among the Indian tribes, not otherwise provided for," may be used to commence the work of civilizing the tribes of Alaska Territory, agreeably to the recommendation of the board last year, as that appropriation was placed in the bill in part in response to that recommendation. (See Appendix 41.)

## APPENDIXES.

### APPENDIX 1.

*The visit of Red Cloud, chief of the Ogallallas, with seventeen head chiefs and three squares, of the northwestern bands of Sioux, together with Spotted Tail and four other chiefs of the Brulé Sioux of the Missouri River, to Washington and the East.*

These chiefs arrived in Washington about the 1st of June, 1870, the Brulé chiefs being a few days in advance of the Red Cloud party. The following minutes of their meetings were taken at the time:

Our Indian visitors, Ogallallas and Brulés, under the superintendence of General A. J. Smith, yesterday, June 3d, 1870, visited the Interior Department, and had an interview with Secretary Cox and General Parker, Commissioner of Indian Affairs. Captain Pool and all the interpreters accompanied the band. There is as yet a little jealousy existing between the Brulé and Ogallalla chiefs, Red Cloud and Spotted Tail, because of the prominence that is given to Red Cloud and his warriors; but Spotted Tail is willing to concede him the precedence, provided they can have peace. Thursday, at their hotel, the two chiefs held a private conference, at which they expressed friendly feelings for each other, and good wishes for their respective people.

When the Indians were seated, Commissioner Parker, through their interpreter, John Richards, spoke as follows:

#### REMARKS OF COMMISSIONER PARKER.

"I am very glad to see you here to-day. I know that you have come a great distance to see the Great Father, the President of the United States. I am glad that you have had no accident, and that you have arrived here all safe. I want to hear what Red Cloud has to say for himself and his people; but I want him first to hear my chief, the Secretary, who belongs to the council of the Great Father. I want him and all his people to know who has charge of them by direction of the President. He and all his people should be thankful that the Great Spirit had preserved them through their journey. The Great Father had received Red Cloud's message that he wanted to come here, and he had given his consent to his coming, and we will be ready at any time to hear what he has to say."

The Commissioner then introduced the Secretary, who shook hands all around, and made the following speech, which was interpreted by Mr. Richards:

#### REMARKS OF SECRETARY COX.

"When we heard that the chiefs of the Sioux Nation were willing to come to Washington to see the President and officers of the Government, we were very glad. We were glad that they were the first to express the wish to come. We know that when people live so far apart as we do from the Sioux it is very hard to understand each other, and know what are their wants; but when we see each other face to face we know what is right, and what we ought to do. The President, General Parker, and myself, and all the officers of the Government want to do the thing that is right while you are here; therefore we shall want you to tell us just what is in your hearts, how you feel, what you want, and how you can make such a peace as will last forever. In coming here you have seen that this is a great people; that its numbers are very great, and that we have a great deal to do, and that its numbers are growing every day. We want to find out what is going on in the Sioux country, that we may make arrangements that will be satisfactory to both parties. In a day or two the President will see the chiefs who are here, but in the mean time we want you to prepare what you have to say, and we will answer you. We want, also, to use our influence with all who are here to live at peace, not only with the whites, but also with each other, that we may have no more trouble with the different bands or with the whites on the frontier." [Ejaculations of assent showed that the Secretary's remarks were understood.]

Turning to Spotted Tail, (Mr. Genru interpreting,) the Secretary said he was very glad that he had come, and particularly thankful to him for the good will and contentment he and his band had shown since they had been here.

The Commissioner then told him that he was ready to hear anything he had to say, and if he was not prepared, to name a day and he would be ready to hear them.

Red Cloud immediately came forward, shook hands with the Secretary, and made the following terse remarks:



## RED CLOUD'S TALK.

"I have but a few words to say. My friends, I have come a long way to see you and the Great Father, but some how or other you do not call upon me. I have come to see you. When I heard that my Great Father would permit me to come to see him I was glad, and came right off. I left my women and children at home, and want you to give them some food. I wish you would give my people a few wagon-loads of ammunition to kill game. Telegraph to my people, and say that I am safe. That is all I have to say to-day."

The Secretary replied very mildly to the dignified demands of Red Cloud as follows :

## REPLY OF SECRETARY COX.

"For to-day we welcome you. We would have come to see you, but we understood that you were very tired, and we supposed that it would gratify you more to come here. We desire to show you every respect and kindness, and we will send word to your people that you are safe, and all other things that you ask. We will give your words much attention."

This gave great satisfaction, and there was a general "How!"

Commissioner Parker then told them that he would show them the city to-day. On the next day the white man would do no business, (Sunday.) On the morning of the third day they would be shown much, and on the evening of the third day he would take them all to see the President, just to say "How." The President had a great many people to look after and a great deal of business to do, and could not come to see them. After Monday evening they would see the President and talk business. The Commissioner further instructed them to ask for what they wanted from those who had them in charge, and so soon as they got ready to have more talk he would be glad to see them.

## DID NOT WANT HIS PICTURE TAKEN.

General Parker then told them they might go to Brady and have their photographs taken, but Red Cloud said that it did not suit him to do so. When asked why, he said he was not a white man, but a Sioux, and that he was not dressed for such an occasion.

After their interview at the Interior Department the Indians returned to their carriages, and drove to several of the public buildings, but did not enter any of them.

This morning they will visit the navy yard and arsenal, and on Tuesday will have the long-expected "big talk."

*Visit of the Indian delegation to the navy yard and arsenal.*

Red Cloud and the other Sioux chiefs were to-day, June 4th, taken by General Parker to see the arsenal and navy yard. The Secretary of War and the officers of the post received them at the arsenal and did their best, with the materials at their command, to impress their visitors with the powers of the "Great Father." The surprise that was expected to be exhibited by their guests was dissipated, however, when it was observed that the squaws promptly placed their hands over their ears some time before the cannons, which were to be fired for their especial astonishment, were discharged, proving that they knew all about that long ago. When Red Cloud came to the 15-inch Rodman he carefully took a measurement of the diameter on his fan and hand and the size of the grains of powder used, which elicited their admiration and surprise. Indians do express surprise, notwithstanding the belief to the contrary, as it was plainly shown when the big gun sent its huge shell ricochetting four or five miles down the Potomac River. The antique cuirass in the museum of the arsenal and the stocks of Springfield needle-guns interested them, and they left the arsenal and its obliging officers with a hearty shake of the hand and pleasant smiles. Secretary Robeson, Admiral Dahlgren, a number of ladies and gentlemen, together with a regiment of marines stationed at the navy yard, welcomed them. They inspected the workshop, the iron-clad monitors, the foundries, &c., with anything but stoical indifference, and were constant in their explanations to one another of the meaning and purpose of all they saw. Secretary Robeson, Admiral Dahlgren, and the officers and men seemed to think no trouble too great to make the interviews instructive and profitable to their guests; and when at the close Red Cloud respectfully declined Mrs. Dahlgren's hospitable invitation to a luncheon, and the whole delegation of chiefs and women stepped aside from the path on which they were departing to shake hands affectionately with her infant children, the impression made by them was very favorable.



*Grand council with the Indians.*

The grand council between the Indian delegations, the Secretary of the Interior, and Commissioner Parker, was held at the Indian Office yesterday morning, June 8, 1870. Several gentlemen holding official positions under the Government, having relations with Indian tribes, were present, including General Smith, Commissioners Brunot and Colyer, of the peace commission, and others. The red men took their seats in the council about 11 o'clock, the conference lasting until 1 o'clock. They were arrayed in all the finery they possess, and were evidently much impressed with the importance of the occasion.

After the usual formula of handshaking, the Commissioner announced to the chiefs that what Red Cloud had spoken to them had been thought over, and the Secretary of the Interior would now give our reply. His words were the words of the President on the subject of Red Cloud's speech.

## REMARKS OF SECRETARY COX.

"Red Cloud and his people have now been here several days; and we have had him go about and see the sights, that he might know more about our people and their power. They will now know that what the President does is not because he is afraid, but because he wants to do that which is right and good. When our people grow so fast as to travel upon the plains, we wanted to find a place where they could live and not be troubled. For that reason our great soldier, General Sherman, made the treaty to give the Indians the country where they now are, and take our people out of it, so they could be there alone.

"Lately some of our people wanted to go there to look for gold, but the President refused to let them go, saying he had given the country to the Sioux. They may be sure that the President will do what he said, and that they may live peacefully in that Territory. We have asked Congress to give us plenty of money to continue feeding them, that their rations may be sure, and we expect them to do that, and therefore we can say that that part of their request will be granted. We will send them also the goods promised.

"They asked for powder and lead. I want to tell them first what we think and feel on that subject. The whites who live on the frontiers are frightened. They say that Red Cloud and his people have murdered some of them. We want Red Cloud and his people to say to us here, before they go away, that they will not do so, but will keep at peace with all our people. When they have said that, and told the people so, we think it will be safe for them to have arms to hunt with. Lately some whites have been killed."

RED CLOUD. I have heard reports of this thing up above, before I left. There are no Sioux south of the Pacific Railroad.

The Secretary continued: "We will believe that what he says is so; but, while the people are frightened, we cannot give the Indians guns, but when we find they are at peace we will do so. We believe that by Red Cloud and the rest of his chiefs coming here, and learning all about the country, we can induce him to be at peace. We want them to know that we shall watch every chance to do them good instead of hurt if they will remain steadily our friends. The people who move out into that country, many of them, never saw an Indian; they don't know their language, and cannot talk to them—cannot tell one tribe from another—so that when an Indian kills a white man anywhere they charge all Indians with it. The Indians must, therefore, try to make all other Indians keep peace with us also. When we stop having complaints from the frontier, and the people tell us they are friends, then we can do all that we want to do. We know it is a great loss to them to be separated from the buffalo and the other game. That is why we give them rations. We know, too, that it is hard for grown-up men to learn other ways of getting food and clothing. We are trying, therefore, to take care of them, and to give them things in place of those they lose. We hope, when they have gone through the country, and seen what the whites get from the ground and other sources, that they will be glad to have their children learn to do the same. We believe the little children can learn these things when the grown men cannot. The whites are now so many that we must live near neighbors to each other, and then the Indians could not help learning the ways of the whites. We want to be good neighbors, and we will help them to try and live in peace with those near them. By this I do not mean that the whites shall come on their reservation given the Indians by General Sherman, but I mean they are to live beside the railroad, so that we may know that our people do them no wrong, and that they get their goods; and we are going to send out Mr. Brunot this summer to see you. When he goes he will ask what is the best thing we can do for them—if any one has done them wrong, and they can tell him what they want, and when he comes back we will try to do what he will say they need to have done. The great thing we want to say to them is, they must keep the peace, and then we will do what is right for them."



## RED CLOUD RESPONDS.

When the Secretary had finished Red Cloud arose, shook hands, and talked:

"The Great Spirit has seen me naked; and my Great Father, I have fought against him. I offered my prayers to the Great Spirit so I could come here safe. Look at me. I was raised on this land where the sun rises—now I come from where the sun sets. Whose voice was first sounded on this land? The voice of the red people, who had but bows and arrows. The Great Father says he is good and kind to us. I don't think so. I am good to his white people. From the word sent me I have come all the way to his home. My face is red; yours is white. The Great Spirit has made you to read and write, but not me. I have not learned. I come here to tell my Great Father what I do not like in my country. You are all close to my Great Father, and are a great many chiefs. The men the Great Father sends to us have no sense—no heart. What has been done in my country I did not want, did not ask for it; white people going through my country. Father, have you, or any of your friends here, got children? Do you want to raise them? Look at me; I come here with all these young men. All of them have children and want to raise them. The white children have surrounded me and have left me nothing but an island. When we first had this land we were strong, now are melting like snow on the hillside, while you are grown like spring grass. Now I have come a long distance to my Great Father's house—see if I have left any blood in his land when I go. When the white man comes in my country he leaves a trail of blood behind him. Tell the Great Father to move Fort Fetterman away and we will have no more trouble. I have two mountains in that country—the Black Hills and the Big Horn Mountain. I want the Great Father to make no roads through them. I have told these things three times; now I have come here to tell them the fourth time.

"I do not want my reservation on the Missouri; this is the fourth time I have said so. Here are some people from there now. Our children are dying off like sheep; the country does not suit them. I was born at the forks of the Platte, and I was told that the land belonged to me from north, south, east, and west. The red man has come to the Great Father's house. The Ogallallas are the last who have come here; but I come to hear and listen to the words of the Great Father. They have promised me traders, but we have none. At the mouth of Horse Creek they had made a treaty in 1862, and the man who made the treaty is the only one who has told me truths. When you send goods to me, they are stolen all along the road, so when they reached me they were only a handful. They held a paper for me to sign, and that is all I got for my lands. I know the people you send out there are liars. Look at me. I am poor and naked. I do not want war with my Government. The railroad is passing through my country now; I have received no pay for the land—not even a brass ring. I want you to tell all this to my Great Father."

In speaking of Richards, the half-breed, Red Cloud said that he belonged to him, but the whites wanted to take him away from him; that Richards had been treated badly by the whites. They had taken away all his stock and shot at him at Fort Fetterman when he was a contractor cutting hay for the Government, for which he was going to kill them. When the Great Father had given him permission to trade with the Indians, the soldiers robbed him; that is why he had something to tell the Great Father about killing one of his white children. General Smith had told them everything straight.

At the conclusion of Red Cloud's remarks to the Secretary, Commissioner Parker said to Red Cloud:

"The Secretary will go to the President now, and tell him what Red Cloud has said to-day; he will also make arrangements to fix a time when the President will see and talk with him; The President had told him (Commissioner Parker) last evening that he would talk with him very soon, and when the President was ready for him he would send him word, and he would then have a chance to see the President and report to him what he wanted."

Red Cloud then said:

"I forgot one thing: you might grant my people the powder we ask; we are but a handful, and you a great and powerful nation; you make all the ammunition; all I ask is enough for my people to kill game. The Great Spirit has made all things that I have in my country wild; I have to hunt them up; it is not like you, who go out and find what you want. I have eyes; I see all you whites, what you are doing, raising stock, &c. I know that I will have to come to that in a few years myself; it is good. I have no more to say."

Little Bear then addressed a few remarks to Commissioner Parker, as follows:

## REMARKS OF LITTLE BEAR.

"I got little to tell you, Father. I want you to look at my relatives, who are living on the Missouri. The whites told me to go to farming; I listened to them and did



so; I thought it was good for me when I had done it, but I found out the whites only did it to fool and kill me. I have farmed for several years. In the spring the commanding officer told me to go out and get meat and build lodges; I was glad and went. Returning, I camped at the bridge on my way to Laramie; I received orders that I was to raise no more corn, and was fired upon."

On saying this, Little Bear pulled aside his robe, and exposing his naked side, showed the mark of a bullet where he had been shot: "This is what I got for trying to farm," said he.

"I now cannot trust them; I am afraid they will play the same tricks. At the Platte, when my children returned from hunting, they were shot down like dogs.

"When you talk about farming I listen to you, but we do not want to go on the Missouri River, for we hear every day of the deaths of ten or fifteen of our people. The climate does not agree with them. That is all I have to say, Father."

Spotted Tail then spoke in behalf of the half-breed Richards, whose trial for the murder of a soldier at Fort Fetterman will soon come off. He said that Richards was good and much loved by the Indians, both by Red Cloud and himself. He wanted him to tell the Great Father all these things, so that he would pardon Richards, and that the Indians might return to their homes with a glad heart.

Commissioner Parker said to the Indians that the case was before the President, but he did not know what would be done with it, but whatever he did would be right.

Commissioner Parker, before dismissing the council, invited the chiefs and their bands to visit the Deaf and Dumb Asylum, but Red Cloud declined, as he said he came for business and not for pleasure. The Commissioner then dismissed them, promising to have another big talk in a few days.

*Interview with the President—Red Cloud addresses the Great Father—He demands the removal of Fort Fetterman—The President's response—He informs Red Cloud that Fort Fetterman cannot be removed.*

The President yesterday, June 9, 1870, received Red Cloud and his band of Ogallallas, who, with Commissioner Parker, visited the Executive Mansion for the purpose of having a final big talk. They were received in the room where the President transacts all his business; and after they had, like well-trained ducks, placed themselves all in line, Red Cloud arose and addressed the President. He and his brothers were much pleased with their visit to Washington. It was the home that the Great Spirit had first given the red man. He protested that his people did not murder or rob white men, but were good to them; but the whites murdered and robbed his people. He urged the Great Father to take pity on his people, who he claimed were the original owners of the land in this locality, but now they came from where the sun set. He made the demand that Fort Fetterman should be removed; and said that Fort Laramie had been appointed by treaty as a place from which to receive corn and clothing. He again urged the President to give arms and ammunition to his people, that they might hunt the buffalo, and concluded his remarks with another demand for the removal of Fort Fetterman.

The President, in reply, said that he had ever desired to live at peace with the red men. He would protect the Indian from the encroachments of the whites, and the whites from the war of the Indian; and further, that he would see that all appropriations and laws were faithfully carried out, and that they were not molested on their reservations. He advised them to go to farming and raising cattle as soon as possible, and thus thereby greatly add to their comforts. As to Fort Fetterman, it was needed, and was very useful to keep the whites off of the Indian reservation and to protect the whites against the Indians who were badly disposed. It was also needed as a base of supplies, and therefore could not be removed.

Red Cloud said that he knew the Great Father had a great many children—so many that he could not hear of the actions of all of them, and he knew the Great Father did not know of all the bad acts committed by the whites against his red children.

The President replied that he was glad to hear what they had to say, and that he had given instructions to the Secretary of the Interior to supply all their wants, and see that justice was done them.

This produced great satisfaction among the Indians, who all shook hands with their Great Father and withdrew.

The entire proceedings were viewed by the ladies of the President's family from an adjoining room.

Although the Indians departed seemingly satisfied, it is not improbable that the proud chief of the Ogallallas will return to the war-path unless there should be some more satisfactory developments from his next interview with Secretary Cox and Commissioner Parker.



## ENTERTAINMENT AT THE WHITE HOUSE.

In the evening the Indian delegations now in this city, upon the invitation of President Grant, extended through Commissioner Parker, visited the White House, where they were shown through the house, and finally into the State dining-room, where a sumptuous repast was set out for them and a large number of guests to whom invitations had also been extended. There were present all the foreign ministers with their wives, and the ladies and gentlemen of the delegations, and many of the cabinet officers and their wives. The Indians were very much delighted with what they saw, and expressed themselves as having a good heart toward the man who could have "So much good eat and so much good squaw." The ladies, who were in full evening toilet, rather dazzled the son of the forest.

WASHINGTON, June 11.

Red Cloud and his party were again at the Indian Bureau this morning, it being the final interview between them and the Government. They appeared to be much depressed, having reflected over the proceedings of yesterday. They reluctantly came to the meeting this morning, earnest persuasion of the interpreter, agent, and traders having induced them to do so. They stated that their refusal to attend might result to their injury. Last night one of the chiefs was so much depressed in spirits that he wanted to commit suicide, saying he might as well die here as elsewhere, as they had been swindled.

Commissioner Parker opened the proceedings to-day by saying the Indians were asked to come up, because it was thought they might have something to say before they went home.

Secretary Cox said to them he was very sorry to find out that Red Cloud and his people have not understood what was in the treaty of 1868, and therefore he wanted him to come here, so that all mistakes might be explained and be discussed. It was important to know exactly how matters stood. This Government did not want to deprive them of any of their rights. The Secretary then explained at some length the provisions of the treaty of the hunting-ground, the reservation, &c. He understood that Red Cloud and his band were unwilling to go on the reservation, but wanted to live on the headwaters of the Big Cheyenne River, northeast of Fort Fetterman. This was outside of the permanent reservation, but inside the part reserved for hunting-grounds.

The Secretary was willing to say, if that would please them, he would make it so and have their business agents there. This would still keep white people off the hunting-ground. The Government would give them cattle, and food, and clothing, so as to make them happy in their new home. The Secretary said he would write down the names of the men in whom the Indians have confidence and want for their agents and traders. He desired to find out whether they were good men, who could be trusted by the Government. He was sorry the Indians felt bad on finding out what was in the treaty, but the best way was to tell it all, so there might not be any misunderstanding.

Red Cloud having shaken hands with the Secretary and Commissioner Parker, seated himself on the floor, and said: "What I said to the Great Father, the President, is now in my mind. I have only a few words to add this morning. I have become tired of speaking. Yesterday, when I saw the treaty and all the false things in it, I was mad, and I suppose it made you the same. The Secretary explained this morning, and now I am pleased. As to the goods you talked about, I want what is due and belongs to me. The red people were raised with the bow and arrow, and are all of one nation; but the whites, who are civilized and educated, swindle me; and I am not hard to swindle, because I do not know how to read and write.

"We have thirty-two nations, and have a council-house, just the same as you have. We held a council before we came here, and the demand I have made upon you is from the chiefs I left behind. We are all alike. You whites have a chief you go by, but all the chief I go by is God Almighty. When He tells me anything that is for the best, I always go by his guidance. The whites think the Great Spirit has nothing to do with us, but He has. After fooling with us and taking away our property, they will have to suffer for it hereafter. The Great Spirit is now looking at us, and we offer to Him our prayers. When we had a talk at the mouth of Horse Creek, in 1852, you made a chief of Conquering Bear, and then destroyed him, and since then we have had no more chiefs. You white people did the same to your great chief—you killed one of your Great Fathers, (Lincoln.)

"The Great Spirit makes us suffer for our wrong-doing. You promise us many things, but you never perform them. You take away everything, and yet if you live forty or fifty years in this world, and then die, you cannot take all your goods with you. The Great Spirit will not make me suffer because I am ignorant; he will put me in a place



where I will be better off than in this world. The Great Spirit raised me naked and gave me no weapons. Look at me. That is the way I was raised, (pulling aside his blanket, and exposing his bare shoulder.) White men say we are bad—we are murderers, but I cannot see it. We gave up our lands wherever the whites came into our country.

"Tell the Great Father I am poor. In earlier times, when I had plenty of game, I could make my living; I gave land away; but I am too poor for that now. I want something for my land. I want to receive some pay for the land where you have made railroads. My Father has a great many children out West with no ears, brain, or heart. You have the names to the treaty of persons professing to be chiefs, but I am chief of that nation. Look at me; my hair is straight. I was free-born on this land. An interpreter who signed the treaty has curly hair. He is no man. I will see him hereafter. I know I have been wronged. The words of my Great Father never reach me, and mine never reach him. There are too many streams between us. The Great Spirit has raised me on wild game. I know he has left enough to support my children for awhile. You have stolen Denver from me. You never gave me anything for it. Some of our people went there to engage in farming, and you sent your white children and scattered them all away. Now, I have only two mountains left, and want them for myself and people. There is treasure in them. You have stolen two mounds containing gold. I have for many years lived with the men I want for my superintendent, agent, and traders, and am well acquainted with them. I know they are men of justice. They do what is right. If you appoint them, and any blame comes, it will not be on you, but on me. I would be willing to let you go upon our land when the time comes, but that would not be until after game is gone. I do not ask my Great Father to give me anything. I came naked, and will go away naked. I want you to tell my Great Father I have no further business. I want you to put me on a straight line. Want to stop in St. Louis to see Robert Campbell, [one of the board of commissioners,] an old friend."

Red Cloud then pointed to a lady in the room, saying: "Look at that woman; she was captured by Silver Horn's party. I wish you to pay her what her captors owe her. I am a man true to what I say, and want to keep my promise. The Indians robbed that lady there, and through your influence I want her to be paid."

Secretary Cox replied to Red Cloud that the treaty showed how the land was to be paid for. They were to be given cattle, agricultural implements, seeds, houses, blacksmith shops, teachers, &c., and food and clothing. The land is good in two ways. One is to let the game grow for the hunt; the other is to plough it up and get corn and wheat and other things out of it, and raise cattle on it. The reason why so many white men live on their land is, they treat it in this way.

"I was glad to hear Red Cloud say he would not go away angry. General Smith will see that you get good presents. But these are small things compared with the arrangements which will be made to make you happy and prosperous. Some of the peace commissioners will go to your country to see that you all are well treated.

"I do not want you to think the days coming are black days. I want you to think they will be bright and happy days. Be of good spirit; if you feel like a man who is lost in the woods, we will guide you out of them to a pleasant place. You will go home two days from now; one day will be spent by General Smith in New York to get you the presents."

Red Cloud replied: "I do not want to go that way; I want a straight line; I have seen enough of towns. There are plenty of stores between here and my home, and there is no occasion to go out of the way to buy goods. I have no business in New York. I want to go back the way I came. The whites are the same everywhere. I see them every day. As to the improvement of the red men, I want to send them here as delegates to Congress."

Secretary Cox said he would be guided by General Smith as to the route homeward. He was not particularly anxious the Indians should go to New York.

Thus ended the interview. The Indians shook hands with the Secretary and Commissioner Parker, and then hurried from the room, followed by the crowd of people who had gathered at the door.

#### RED CLOUD AND THE MORMONS.

WASHINGTON, June 12.

Senator Morrill, as chairman of the Committee on Appropriations, and who had charge of the Indian appropriation bill, Delegate Hooper of Utah, and Vincent Colyer, secretary of board of Indian commissioners, called last evening on Red Cloud to pay their respects. The Senator assured Red Cloud of his profound sympathy with him and his race, and that Congress, the grand council, the President and the people, would deal justly with the Indians. For his part he was convinced they had been too much neglected and abused, which operated to the injury of whites as well as red men of the West. If Red Cloud were to go north he would find multitudes of friends who would



be glad to take him by the hand, and stand by him and his people long after he had left them. The country needs peace alike for the good of the Sioux Nation and our own, and he hoped that Red Cloud would be convinced of this when he saw with what warm-hearted interest he would be received by the people of the land.

Red Cloud thanked him, and said he had received much kindness while here from the big chiefs, but he could not forget his people at home. He was sent here to care for their interests, and he thought of them sleeping and waking, for they were on his heart. He had asked for the removal of Fort Fetterman because it was a curse to his people, and instead of protecting them, as the Great Father had told them, it had only brought mischief into his country by whisky-drinking, abusing squaws, and other bad work. He hoped there would be no war, and there would not if the whites waited for the Sioux to commence it. His people having no food have to hunt, and when they do that they were told they were off their reservation, and were shot at. This made trouble, and the Indians always got the blame, as they have no writers or papers.

Delegate Hooper was introduced, and said his people, the Mormons, had crossed and recrossed the plains for the last twenty-two years, through the Sioux country, with their women and children, cattle and goods, and in all that time, though more than 80,000 persons, they had never lost a life, an animal, or a bale of goods, until the railroad was built; since which time they had lost some property in the train. He felt it his duty to bear this testimony to the good conduct of Red Cloud and his people toward them.

Red Cloud thanked him, and said he knew the Mormons. They had always talked straight and dealt fairly with his people.

Red Cloud and party will leave Washington to-morrow noon for New York, where they will remain a day or two, and then proceed home. They will be under the charge of General Smith, in whom they have full confidence.

Colonel Bullock, Mr. Beauvers, and John Richards, the interpreter, will accompany the party.

[From the New York Standard, June 13, 1870.]

#### INDIAN ORATORS.

A number of Brulé-Sioux chiefs, including Spotted Tail, have taken leave of the Government. They have not gone, however, without giving to their Washington Fathers a few useful parting hints. Spotted Tail had occasion to remind Secretary Cox that his contemporary, Fast Bear, had received a bullet wound in his side while farming, and that, too, from an officer; while for himself he was provoked to say laughingly that if General Cox had as much trouble in his life as Spotted Tail, he would have cut his throat long ago. As to whether he would have cut other people's, opinions will be divided, with the preponderance against the Brulé-Sioux. Yet it seems to us that there is matter for thought in this complaint of Spotted Tail. His life is miserable; it is not agreeable to him to be a devil of a savage; he would like to plant corn, but he wishes that some better way were invented of understanding the Indian character than by putting a bullet into it. Can it be done?

Spotted Tail not only asks that his efforts as an agriculturist but his rights as a land proprietor should be recognized otherwise than by shooting at him. We have Red Cloud's word for it that not "a brass ring" has been received by the Indians on account of the Union Pacific Railroad, and this is why the wretched buffalo-hunters have sworn to a deadly feud against the steam-engine. Would it not be shameful, though, if the owners of the railroad, the telegraph, the continent, were so mean and so greedy that they could not exercise the amount of patience necessary to pay and protect with decency the small number remaining of the continent's dispossessed proprietors? Senator Stewart eloquently asks whether we prefer "the monopoly of inaccessible regions, the monopoly of desolation, and the monopoly of barbarism, to the monopoly of railroads?" Certainly not. We only ask that the locomotive, which is to bring so much wealth to its owners and patrons, shall pay fairly for its whistle.

We plead for the Indians now, because we see a tomahawk policy revived in one of the more savage of our newspapers. Let us make no Indian war upon the Indians—no savages out of our soldiers. White villainy, as well as red savagery, has been at the bottom of our Indian troubles, and the actual amount we have paid for Indian lands, worth more to us than San Domingo, Cuba, and Alaska put together, has been exceedingly small. What the technical land rights of the Sioux we have not made out, but on general principles they have claims upon us. Remembering these things, our first duty is magnanimity.

Everybody feels that daylight has been let into the Indian question by a few inspired words from the red men themselves. Red Cloud's simple speeches throw contempt on the rusty policy, first, of ignoring the savage, next degrading, and then murdering him. Brave Bear goes so far as to vindicate his spiritual claim, and Pitchlynn makes an unanswerable argument for his capacity to learn. But, to state the case of the Indians more clearly, let us extract a few of their own golden sentences:

"I don't want to fight.



"The men you send us have no sense, no heart.

"The Great Spirit did not tell us we are slaves.

"We want you to pay us for our land.

"I do not want dirty flour and rotten tobacco.

"Our Great Father sends out whisky-drinkers.

"I allow no liquor to be brought into my country.

"I will not take the treaty with me; it is all lies!

"The whites think the Great Spirit has nothing to do with us. After fooling with us and taking away our property, they will have to suffer for it here and hereafter.

"The Great Spirit will not make me suffer because I am ignorant.

"Even if you live forty years or fifty years in this world and then die, you cannot take all your goods with you.

"My Father has a great many children out West with no ears, brains, or heart.

"You have stolen mounds containing gold.

"As to the improvement of the red men, I want to send them here delegates to Congress."—*Red Cloud.*

"The Great Spirit told me when a chief, 'If you get strong and become rich, you cannot take your riches with you when you die.' He must have told a different thing to the white man, who is so grasping, and who piles up money. He must have told them, 'When you die, you can take all into the next world.'"—*Red Bear.*

In these few words the Indian's rights, wrongs, politics, and theology are fairly set forth. They contain the strongest indictment yet made against the traders, the whisky sellers, the vendors of bad clothes, the swindlers we have sent to degrade us in the Indian country. The confidence of the Indians in the final justice of the Great Spirit will, we trust, be observed by students of our territorial economy. The Government would not be wide of the mark if it accepted for its oracle a sentence or two of Red Cloud, and acted upon the hint as though a suggestion had come—no matter through what rude and humble medium—from the Great Spirit himself.

[From the New York Times, June 13, 1870.]

#### THE STORY OF THE INDIANS.

Whatever differences of opinion may be entertained with reference to the claims which the Indians have upon us, the manner in which those claims have been brought to our notice during the last few days cannot fail to make a deep impression. We have heard the story of the red man from his own lips, and if we can once bring ourselves to regard it in a candid spirit, and without violent prejudices toward the Indian simply on account of his race, we shall see some reason to suppose that the "wrongs" in the Indian affair are not exclusively on our side. There can be no doubt, for instance, that Red Cloud, a chief over a score of tribes, never understood the true nature of the treaty of 1867 until it was properly explained to him on Friday at Washington. All the Indians declare that they were told that the treaty was only intended to "make peace;" that the troops were to be withdrawn, and the Indians allowed to "raise their children." When they found the railroad going through what they regarded as their country, they believed the Government to be once more taking an unfair advantage of them. Secretary Cox told them on Saturday that he was sorry "they felt badly upon finding out what was in the treaty." But is this the way the business of a great government should be carried on, even though the parties treated with are "only" Indians? Is it any wonder that the Indians do not adhere to treaties if they are carefully kept in the dark as to what those treaties really contain?

We are quite aware that there is a class in the country which simply settles all such questions by saying, "Any treatment is good enough for the Indians. They are vermin, and must be exterminated." We trust, however, that this savage theory is not accepted by the great body of the people. We ought to be desirous of keeping our engagements with the Indians, even if they do belong to an inferior race. The "extermination" principle has had its admirers, and some military men, as our readers will easily remember, have done their best to carry it out. But we might almost challenge any one to read Red Cloud's speeches, and then decide whether the Indian is entitled to receive ordinary fair play or not. Red Cloud is evidently a man of considerable natural abilities. No amount of education could have enabled him to present his case with greater effect than he has lately done, drawing all his images and illustrations from nature, and breaking out now and then into involuntary scorn of our mode of perpetually discussing questions without settling them. "I have become tired of speaking," he said, on Saturday. And again he begged not to be forced to visit New York. "The whites are the same everywhere. I see them every day." Some of his remarks are even more characteristic of the red Indian than any of the speeches invented for the "Last of the Mohicans" by Fenimore Cooper. "You promised us many things," he said, on Saturday, "but you never performed them. You take away everything. Even if you live forty or fifty years in this world, and then die, you cannot take all your



goods with you. The Great Spirit will not make me suffer because I am ignorant. He will put me in a place where I shall be better off than in this world." Again, is there no truth in the following sayings? "My Father [the President] has a great many children out West with no ears, brains, or heart. The words of my Great Father never reach me, and mine never reach him. *There are too many streams between us*"—as fine an image as ever poet conceived. Listen, too, to these words of Brave Bear: "I am seventy-five years of age. I am old. When the Great Father created us, the white and the red men were all brethren, and we lived so; but now we are not. We are melting away; and the whites, who are increasing so fast and are great, are trying to crush us and leave us no hope. The Great Spirit is looking upon them, and will make them give an account of their misdeeds." "The whites," said Red Cloud, "who are educated and civilized, swindle me, and I am not hard to swindle, because I do not know how to read and write."

Are these groundless complaints? We all know that they are not. If the Indians do not always keep faith with us, we have certainly not gone out of our way to set them a better example. Their lands have been taken from them, and when compensation has been promised, the money has seldom been paid. Some of the "streams" which run between the Indian and his Great Father at the White House intercept and carry off the appropriations. There seems to the Indian to be no chance of getting justice. He is entrapped into making all sorts of treaties which he cannot understand, and which are misrepresented to him by those who induce him to sign them. We trust that Secretary Cox will do all in his power to see that a more honorable policy is pursued in future. It may be the destiny of the red man to be "stamped out," but while he does remain upon the earth it is scarcely worthy of us as a people to make him the victim of superior cunning.

#### RED CLOUD AT COOPER INSTITUTE, NEW YORK.

It is evident to all familiar with the facts, that Red Cloud left Washington greatly disappointed, if not angry. The revelations made to him by the reading of the treaty made with his tribe by the peace commission of 1868, which he declared to Secretary Cox he had heard read for the first time here in Washington; the refusal to allow his people a supply of ammunition, with which to kill game, and distinction made between him and his party, and Spotted Tail and his companions, in the presentation of horses to the latter and not to the former, was allowing him to depart in a mood very unsatisfactory to the friends of peace and economy.

Thoroughly convinced of these facts, the secretary of the board telegraphed to Mr. Benjamin Tatham, of New York, to ascertain whether Mr. Peter Cooper would allow them the use of his large hall for a public reception of Red Cloud, if the Government would detain the chiefs in New York a day to be present. Receiving an affirmative answer, the secretary of the board applied to Secretary Cox, and, obtaining an order for General Smith, who had charge of the delegation, to detain them in New York one day, hastened to New York that night, June 14th.

Telegraphing to Mr. Cooper and Mr. Tatham to meet him at the Institute the next morning, the secretary of the board immediately arranged with those gentlemen for the reception to take place the next day at 12, noon. As but one evening and morning papers could publish the notice of the meeting, the risks of having an empty hall were considerable; but so greatly had the public become interested in Red Cloud through the wide publicity which had been given to his manly speeches, that when the hour of 12 the next day, June 15, arrived, the great hall was so crowded that many left, unable to obtain admission. "Never before," said the New York Herald of the following day, "was the great hall of the Cooper Institute filled with a larger or more respectable crowd of people than assembled to listen to Red Cloud yesterday."

Meanwhile a telegram had been forwarded to the Secretary of the Interior, from the members of the United States Indian commission of New York, offering, if they might be allowed by the Government, to present at their own expense, to Red Cloud, the twenty-one horses he asked for. The Secretary of the Interior replied that the President had ordered that the horses should be given to Red Cloud at the expense of the Government.

The effect of this splendid reception of the great chief of the Sioux at the Cooper Institute, New York, was to completely win his heart; and, as the crowd surged forward over the platform, at the close of the meeting, to tender its congratulations to Red Cloud, and many costly and appropriate presents were given to them, the chiefs were thoroughly satisfied that they had hosts of true friends among the pale faces; and they left the city of New York and the East the following day in the best of humor.

As the event was one of so remarkable a character, the secretary of the board clips from several of the great New York newspapers an account of the meeting, believing that they will interest some of our Indian agents at the West when they take this report from the shelf of their cabins to while away some of their lonely hours.



[From the New York Times, June 17, 1870.]

## THE LAST APPEAL OF RED CLOUD.

Yesterday the races immediately interested in the solution of the "Indian problem" were brought face to face. It was an occasion that will long be remembered by those who were spectators of it—an occasion invested with a strange, memorable, and even pathetic interest. The descendants of the first occupants of our soil came from their wilderness into the very heart of our greatest city. Men who have been used to solitude and a life of wild adventure and excitement, suddenly appeared upon the platform of Cooper Institute, a most inappropriate looking place, to implore simple justice on behalf of a vanishing race. A few years more, and the great chiefs who yesterday were before the New York public will also have melted away like "snow upon the hill-side."

Their attempts to tell their own story to the white men, instead of allowing it to pass through all sorts of corrupt and adverse channels, will hereafter rank conspicuously among the historical events connected with the Indian race.

No one who listened to Red Cloud's remarkable speech yesterday can doubt that he is a man of very great talents. It is almost wonderful that he could make a speech at all under the circumstances. The hall, or huge cellar, was densely crowded, and the heat was almost intolerable. It was easy to fancy how the Indians must have sighed for a breath of fresh air from the prairies.

He has spent his life in fighting the battles of his people, and one day he is transplanted to Cooper Institute, and asked to put on a clean shirt, a new waistcoat, a high crowned hat, and then make a speech. Among all vicissitudes of his life, this must be the most startling, and, perhaps, not the most agreeable.

Although the audience labored under the disadvantage of not knowing what Red Cloud said, until his words were filtered through an interpreter—and no doubt greatly weakened in the process—still his earnest manner, his impassioned gestures, the eloquence of his hands, and the magnetism which he evidently exercises over an audience, produced a vast effect on the dense throng which listened to him yesterday. His speech was like a poem. When we consider that education and civilization have done nothing for him, except to teach him, in the words of the Psalmist, that "all men are liars," and that he was placed yesterday in a situation which must have been most embarrassing, and probably distressing to him, it is impossible to refrain from being much moved by his appeals. "You have children, and so have we. We want to rear our children well, and ask you to help us in doing so." It seems to us that this is not an unreasonable request, even though it does come from a "savage."

The solemnity of Red Cloud's manner, an impressive way which he has of throwing both his arms upward when referring to the "Great Spirit," and the intense pathos he threw into his tones at many parts of his speech, thoroughly enlisted the sympathies of the audience in his favor. Everybody could understand the thrilling power which a speech from this man would carry with it when addressed to his own tribe, on a question in which they were all deeply interested.

Less severe in his manner, but equally effective in another way, was Red Dog, the orator of the Sioux. He appears to be the wag of the tribe. Red Cloud is a man of war, and looks like it; but Red Dog has a fine intellectual face, and a somewhat portly figure. He said: "When the Great Father first sent out men to our people, I was poor and thin; now I am large, and stout, and fat. It is because so many hars have been sent out there, and I have been stuffed full with their lies." Many persons on the platform were astonished to find that an "illiterate barbarian" could handle the weapon of sarcasm. The truth is that the Indians spoke far better than ninety-nine out of a hundred members of Congress, and as for their "action," it would have satisfied Demosthenes himself.

[From the New York Tribune, June 17, 1870.]

The remarkable triumph of Red Cloud yesterday, in the great speech he delivered before the assembled multitude at Cooper Institute, was one of the most striking incidents in the history of the aboriginal race. His appearance, his manner, his language, and his ideas, were of such a nature as not only to interest the audience, but to make a deep impression in favor of the cause he represented.

His opening invocation to the Almighty Spirit was solemn, earnest, and highly dramatic; and, as he went on to recount the wrongs of his people, and demand justice for them, in words that were at once simple, strong, and heartfelt, the audience was greatly impressed. The oratorical effect of his discourse had a severe trial in the fact that he was compelled to stop at the close of every sentence during the time required for its translation from Ogalalla into English; but even this disadvantage did not destroy its unity. During the intervals of translation, he stood statuesque and impressive, which



was quite as striking as his animation in the more earnest passages of his appeal. As he passed from point to point in his remarks, he carried the sympathies as well as the intelligence of the great audience with him; an audience which had gathered at mid-day from the business places, workshops, and households of the city, to listen to this representative of the hereditary foemen of the white race of America.

After Red Cloud's speech was finished, there was a short discourse from Red Dog, who is an orator by profession. Red Dog is an artful speaker, and knows how to entertain even a white audience. He made a very effective point; for example, when turning round and, pointing to a number of Indian braves who were seated in line on the platform, he said that these "were his young men, all of whom were poor young men, *because they were honest*." Even this, however, was not so neat as a point previously made by Red Cloud, who, after quoting with great ingenuousness a remark made to him by Secretary Cox, that the "riches of this world cannot be taken into the next," forcibly inquired, "If that be so, I would like to know why the Indian agents who are sent out to us do nothing but rob us all the time?" Red Dog was humorous when he said he had "grown fat on the lies with which white men had filled him," but Red Cloud was altogether too serious to indulge in any small jokes of this sort. In short, as a speaker, Red Cloud stood eminent, and preëminent, though he displayed only the art of nature and the eloquence of truth.

When, a few days ago, we spoke, perhaps somewhat lightly, about the propriety of Red Cloud entering upon the career of oratory and assuming the championship of the rights of the Indian race before the American people, we had no such proof of his remarkable capacity as he furnished to his audience yesterday. We wish that he could give in every city of the United States such a speech as he then delivered. It would do more to secure fair-dealing toward the Indians than all the efforts heretofore made by white philanthropists. It would stir up the people to demand that the Government shall enforce a policy of justice and honesty toward the Indians. It would enable the country to understand the aboriginal side of the question, which has been heretofore misunderstood because we only knew the white man's side. Why should not the friends of Red Cloud, the friends of the Indian race, and the friends of even-handed justice take these things into consideration? If he made as deep an impression wherever he spoke as he made on his New York audience, the difficulties of the Indian question would disappear in the establishment of a policy of justice which would ultimately secure peace. This is the purpose of President Grant, and it can only be carried out by the coöperation of the Indian leaders and the American people.

[From the New York Herald June 22, 1870.]

Red Cloud's warriors, as we predicted, are already preparing for war. A chief, lodges of them are congregating near Fort Laramie, to await the arrival of many and it is to be hoped that our Government has taken measures to forewarn the Sixth and Seventh white settlers throughout the Indian country of the vicious spirit in which Red Tail and Red Cloud departed from the Capitol.

#### RED CLOUD'S INFLUENCE FOR PEACE ON RETURNING

[From the Philadelphia Evening Telegraph, July 22, 1870.]

The plain, straightforward, and earnest manner in which Red Cloud stated what he believed to be the grievances of himself and his people, winning persons than if his few weeks ago, won for him more favor with all right-thinking persons than if his conduct had been marked by subserviency, or by that Indian trait. The speeches sons are fond of assuming to be one of the most marked for justice that showed how he delivered were terse, eloquent, and filled with appeal. Fault or not, were suffering keenly he felt that his race, whether through their truly noble and manly bearing grievous wrongs at the hands of the whites, while his respect that they had never ob- on all occasions inspired for him and for his cause, the protection of the country. The meet- tained before with a majority of the people at this Cooper Institute, in New York, brought in which he was called upon to address at Cooper Institute, and it is probable that him nearer to the civilization of the age than anything that occurred during the whole of his visit. Although there were plenty of sneers at the whole exhibition, it was both a novel and an impressive incident for this savage chief to make a speech to such an assemblage as that which met him in Cooper Institute, and it is probable that the occasion impressed him quite as much, if not more, than it did his auditors. Many hoped that this meeting would be productive of good results, not only in inspiring the white people of the country with a desire to do justice to the Indians, but that it would also have the effect on the savages by impressing them with the advantages of civilization and inspiring them with the idea that the whites are not all their enemies. In spite of the predictions that were freely made that Red Cloud, notwithstanding his



peaceful protestations, would start on the war-path so soon as he arrived upon the plains again, events have proved that those who took the most liberal view of his character were not deceived in him. Although he said little while here to indicate what his thoughts on the subject were, he was undoubtedly impressed in a very powerful manner by the wealth and splendor of our eastern cities, and by the thousand indications of the power and superiority that civilization has conferred upon the whites. Since his return, he has been laboring to preserve peace, in opposition to the ideas of many of his tribe, and we are now informed that he has declared he would leave his people if they did not make a treaty and join the whites. It is also said that he intends to send his son to the East to be educated. This will show that the visit of Red Cloud and his delegation to the Atlantic States was not altogether fruitless, and that it is not impossible to impress the Indians with the superiority of civilization to their now savage mode of life, if the right method is adopted.

[From the New York Daily Tribune, July 25, 1870.]

#### RED CLOUD'S NEGOTIATIONS AT HOME.

We are very much gratified with the news of Red Cloud's conduct, which we have received, from time to time, since his return to the Plains. He has labored constantly and faithfully to avert the extensive Indian war with which we were threatened two or three months ago, and his efforts have been crowned with unexpected success. When he set out on his remarkable journey to Washington, as a negotiator of peace, there were unmistakable signs that we were on the eve of the most extensive war we have ever waged with the wild tribes of the Sioux. The military authorities had made preparations for the outbreak of hostilities by sending all our available cavalry to the Plains, and by disposing of the forces in such a way as at once to protect the frontier settlements, and carry terror into the camps of the savages. General Sheridan, who is in military command of the Department of the Missouri, gave it as his opinion, when he returned from a visit to the different points of his extensive command, that a war with the Sioux, during the present summer, could not be averted, and he urged the War Department to provide for its being carried on with all possible energy and determination. The same views were entertained by General Sherman, and by most of our high military officers. Dispatches confirmatory of them came thick and fast from the Plains. The newspapers of Omaha, Cheyenne, and Laramie, of Leavenworth, Sheridan, and Denver, gave us daily reports about Ogallalla or Brulé, Red Cloud, or Spotted Tail being on the war-path, and threatening the whole country, from the Black Hills to the Missouri.

It was a vastation and outrage.

happy under these circumstances that the Indian commission were struck with the proposition of approaching the war-like leaders of the hostile tribes with pacific President. And inviting them to visit Washington to hold a conference with the Cloud himself, the surprise of the whole country the invitation was accepted by Red Cloud himself, as well as by Spotted Tail and other war chiefs.

When his party \* \* \* \* \*  
 tion and magnanimity to this city, the Indian commission treated them with consideration of justice, he IV, and when Red Cloud consented to appeal to the white man's to his words, but drew a great audience in Cooper Institute, which not only responded When finally he left tried to make an effort to remove the cause of his complaints. on leaving Washington, York, he was very much better satisfied than he had been do all in his power to secure peace. Some of our military men smiled at the simplicity of the Indian commission at the humanitarians of New York; and many of the western newspapers, particularly those west of the Missouri, ridiculed the whole affair as "philanthropic greenhorns" of the East. We were told that he would certainly begin the long-promised war as soon as he got back to the Sioux country, and that he had no influence whatever with the war-chiefs of his own tribe. Well, he has now for two months been back on the Plains among the Sioux. We have heard again and again of what he has been doing to secure peace. We know for a certainty that there has been no outbreak of war. He has kept his promise, and he has done more than this, for he was very cautious about making hasty promises. He has used his influence with the war chiefs, and with the almost untrained young braves of the Sioux. The consequence has been, that none of them have gone upon the war-path since his return, and we have been saved from troubles which would have brought havoc among the settlements of the far West, and death and wounds to many of our soldiers, and would have cost the country millions of dollars.

There are several important lessons connected with Red Cloud's mission and its success. We learn thereby that Indian wars may at least sometimes be averted, by peaceful efforts and by just dealings; we learn that our military leaders may sometimes be mistaken in regard to Indian matters; we learn that the newspapers of Cheyenne and



Laramie are not always to be trusted in their reports about the Sioux; we learn that "eastern philanthropists" may sometimes know how to deal with western savages; we learn that justice has an effect even upon the Indian. These things are worth remembering and thinking of, and it may be useful to bring them to mind hereafter, when we are again threatened with Indian troubles.

## APPENDIX 2.

*Sub-committee of the Board of Indian Commissioners.*

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., July 22, 1870.

SIR: I transmit herewith copy of a report, dated the 19th instant, from the Commissioner of Indian Affairs, together with copies of papers therein referred to, relative to the request of Chief Red Cloud to have an agency and trading post established in the country inhabited by his people.

I have to request to be informed if it will be possible for the Indian commission to carry into effect the suggestions of the Commissioner of Indian Affairs in relation to the subject at an early day, and if so, that he be informed of such action.

Very respectfully, your obedient servant,

J. D. COX, *Secretary.*

VINCENT COLYER, Esq.,  
*Secretary of Board of Indian Commissioners.*

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., July 19, 1870.

SIR: In view of the request of Red Cloud, one of the chiefs of the Sioux Nation, to have an agency and trading post located in the country inhabited by his band, and of the favorable recommendation of General John E. Smith, copy herewith, I respectfully suggest that the special commission be instructed to visit Red Cloud's people, and determine what point in the country recommended by General Smith would be most suitable at which to establish the agency and trading post, and also that they visit Spotted Tail's people for the purpose of selecting a new location for them somewhere on White River, within the bounds of their reservation.

Very respectfully, your obedient servant,

E. S. PARKER, *Commissioner.*

Hon. J. D. Cox,  
*Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., August 11, 1870.

GENTLEMEN: It having been arranged by your board that you are to visit Red Cloud and Spotted Tail's bands of Sioux, to accomplish certain objects desired both by the Indians and the Government, the following instructions are submitted for your guidance in the discharge of the duty thus imposed upon you. It would be well for you to first visit Red Cloud's people. Through their chief they ask to be established upon an agency to be located either at Fort Laramie or Fort Fetterman. It is not desired that their request should be granted as to either of the points named. For obvious reasons it is deemed best that the agency should be located in their own country, and it is thought the most suitable point for the purpose will be found at the Rawhide Buttes. You will therefore endeavor to prevail upon them to assent to the establishment of the agency with a trading post in that country, at such place as may be most desirable on account of timber, water, and land for agricultural purposes. Red Cloud should be given to understand that the Government will expect him to exercise his influence and power to protect the agent who may be placed in charge and his employes from all harm by his people.

\* \* \* \* \*  
Should Red Cloud's people not be able to come in at once to meet you, Spotted Tail's people could be first visited, and afterward a second trip be made to Laramie to meet those under Red Cloud. Spotted Tail desires a location somewhere upon White River, within the bounds of the reservation. Disposed as he and his people are represented to be to follow agricultural pursuits, in the selection of a place for them due regard must be had to an abundance of timber, good water, and lands for cultivation. There will, perhaps, be no trouble in making a satisfactory arrangement with this chief and his people in regard to their future home, but with Red Cloud it may be otherwise, as



you may find it to some extent difficult to overcome his preference for, and choice of, the country about Laramie or Fetterman; it is, however, hoped that you will succeed in inducing him to yield, and cheerfully accept the country which the Government prefers should be the home of his people hereafter.

The commanding officers at Forts Laramie and Fetterman have been telegraphed to send word to Red Cloud to come in to meet you. Subsistence stores will be purchased at the post where the council shall be held, and certified vouchers given for the same will be paid at this office.

Very respectfully, your obedient servant,

E. S. PARKER,  
*Commissioner.*

HON. FELIX R. BRUNOT, *President,*  
ROBERT CAMPBELL, *Saint Louis, Missouri,*  
*Indian Commissioners.*

P. S.—Copies of orders from War Department for escort and subsistence stores sent to Colonel Campbell in letter of to-day.

#### ARRIVAL AT OMAHA, NEBRASKA.

OMAHA, August 22, 1870.

The sub-committee of the board of Indian commissioners, composed of Felix R. Brunot, chairman of the board, and Robert Campbell, deputed to visit Red Cloud and prominent chiefs of the Sioux and other tribes, and examine into the condition of Indian affairs in that quarter, met by agreement in Omaha, Tuesday, August 23. Mr. Brunot arriving from Pittsburg, Pennsylvania, the day previous, and Mr. Campbell having left St. Louis on the 22d. A consultation was had by the commissioners on the duties that devolved upon them, the first subject of inquiry being to ascertain when Red Cloud would be at Fort Laramie, which place was telegraphed for information. William Fayel, of St. Louis, was chosen secretary.

OMAHA, August 24.

The commissioners called at General C. C. Anger's headquarters and were cordially received by the general, who proffered any assistance in his power toward forwarding the objects of the commission. He said transportation would be in readiness at Cheyenne, and two companies of cavalry would be assigned as an escort to Fort Laramie. At the request of the commissioners he sent a telegraph dispatch to Major Chambers, at Fort Fetterman, to learn when Red Cloud was expected in, and saying that it was the desire of the commission to meet Red Cloud, and his principal chiefs only, at Fort Laramie. It was desirable that they should not bring all their people and lodges, as the commission were not provided with presents, and in addition to this there might be some trouble in feeding them. The commissioners also had no positive information in regard to the time when the annuity goods from New York were expected to arrive.

The commissioners next waited on L. M. Janney, superintendent of Indian affairs in the northern superintendency, and found him and his daughter-in-law, who acted as clerk, seemingly absorbed in the duties of their charge. The tribes in this superintendency include the following, with the population annexed to each, as first ascertained by Mr. Janney, who acted as United States marshal in taking the census of the Indians: Omahas, 983; Pawnees, 2,325; Otoes, 483; Winnebagoes, 1,333; Iowas, 206; Sacs and Foxes, 77; Santee Sioux, 994; of the latter number 23 being whites; total number, exclusive of whites, 6,325. The total number in 1869, was 6,489, showing a decrease of 164 during the year. This decrease is attributable in some measure to the lack of physicians. The mortality, particularly among infants, was large during the year from this cause. Among the Pawnees a large number of children perished from measles, and other disorders, purely from want of good care and medical attendance. The nearest physician is at Columbus, on the Union Pacific Railroad, twenty-two and a half miles distant from the reservation, and the charge for one visit is \$20. This fee the Indians, of course, are unable to pay. During the year, thirty children in this tribe died. The census statistics show that the females outnumber the males, while more boys are born than girls. This disparity between the relative numbers born and the actual population of the sexes may be accounted for during the war, but the Pawnees are not on the war path, one man only having perished from a Sioux raid during the year.

The Pawnees and Sioux are still at war, a feud having existed between these tribes for many years. The Pawnees are desirous of burying the hatchet, and in their behalf Superintendent Janney requested the commissioners to use their influence with their old enemies, particularly the Brulés, for peace, so that they should not be troubled by them any more. A day or two before the arrival of the commissioners, a consultation of the United States Indian agents of the northern superintendency was held at the office of the superintendent, to confer in relation to the condition and moral improve-



ment of the Indians, and to consider the best means of obtaining funds. Much interesting information was elicited, and the commissioners regretted that they were not in time to be present. The \$30,000 appropriation by Congress will enable the agents to do much, but more they say is needed for years to come to prosecute the work and sustain the schools. The superintendent was, therefore, requested to draught memorials to the President of the United States, Secretary of the Interior, and Commissioner of Indian Affairs, in relation to sale of surplus lands in the reservation for the support of schools, a movement which, it is represented, the Indians favor. The reservations are stated to contain more land than is needed, with the exception of the Winnebago reservation, should the tribe, as is expected, be augmented by one thousand additional Indians from the North. Superintendent Janney placed his books before the commissioners for their inspection, and urged them to visit the Pawnee reservation as soon as the Pawnees return from their summer hunt.

OMAHA, Thursday, August 25, 1870.

A telegram was received from Fort Laramie dated August 25, stating that Red Cloud had been sent for twelve days ago, (13th,) and messenger not returned. A telegram to General Augur from Colonel Chambers, at Fort Fetterman, stated the principal chiefs of Red Cloud had come in, that Red Cloud was at Bear Buttes and was coming in, and Man-afraid-of-his-horses was at Rose Bud.

Another telegram of same date from G. W. Bullock, Fort Laramie, announced the arrival of Red Cloud's chiefs the day before, who said Red Cloud would come soon when he hears of the arrival of the commissioners at Laramie, as it is very difficult for his party to live, there being no game. The commissioners were therefore invited to come immediately.

#### DEPARTURE FROM OMAHA, NEBRASKA.

FRIDAY, August 26.

Left Omaha on the cars for Cheyenne at 1.20 p. m.

CHEYENNE, Saturday, August 27, 1870.

Arrived at Cheyenne at 2 p. m. The commissioners had an interview with Governor Campbell in reference to the affairs of his superintendency, which embraced also the Bannocks, numbering 600, and the Shoshones, who number 1,200. The governor telegraphed to Washington for information desired by the commissioners, and made a proffer of services in any way.

[Telegram.]

FORT FETTERMAN, August 28, 1870.

General C. C. AUGUR, *Commanding, Omaha:*

Little Crow, one of the delegation to Washington, is here, and says he has visited all the camps of Sioux, Cheyennes, and Arapahoes, and he thinks they will all be here or in Laramie in twelve or fifteen days. He says they have not decided which place to come to, and will, probably, part come here and part go to Laramie. This morning a herd of 3,000 cattle passed this post, and this Indian says the whites are not to travel on the old road. He says they will frighten all the buffalo about Sweetwater. He says the Great Father told him the whites were not to cross the Platte below Sweetwater. That from here they must cross the Laramie plains to Fort Steele. Is the old road to be traveled, or shall I turn them off to Fort Steele? If answered to-day I can notify them.

ALEX. CHAMBERS,  
*Major Fourth Infantry, Commanding.*

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., August 31, 1870.*

SIR: I have the honor to acknowledge the receipt, upon your reference, of the telegraphic dispatch from General C. C. Augur, dated the 29th instant, stating that the Indians claim it was understood by them when in Washington there was to be no travel on the old road west of Fort Fetterman up the Sweetwater, and that they object to large herds of cattle being driven that way. General Augur remarks that he has no knowledge of any such understanding, and asks for instructions.

For your information I beg leave to say that this Department in its late dealings with Red Cloud and his party, to whom General Augur refers, gave them fully to understand that the boundaries of their reservation must be those prescribed by the treaty with the Sioux concluded in 1868. While it would be unfortunate to have a misunderstanding and unpleasant relations occur at this time, and previous to the meeting of the Indians with Special Commissioners Brunot and Campbell, and while this Bureau is



disposed to urge the exercise of any reasonable indulgence to the request of the Indians for temporary purposes, it is of the highest importance that they should be made to know that the engagements of the treaty of 1868 will be maintained inviolate.

Very respectfully, your obedient servant,

WM. F. CADY,  
*Acting Commissioner.*

General E. D. TOWNSEND,  
*Adjutant General United States Army.*

[Telegram.]

ADJUTANT GENERAL'S OFFICE,  
*Washington, September 1, 1870.*

General C. C. AUGUR,  
*Commanding Department of the Platte, Omaha, Nebraska :*

In reply to your telegrams of August 29, I will send you copy of a letter from Indian Department. Red Cloud was given to understand his boundaries were those of treaty of 1868, and it is important he should be made to know that treaty will be kept inviolate. But it is best to temporize until arrival of Commissioner Brunot, and not allow any difficulty to arise just now if it can be avoided.

E. D. TOWNSEND,  
*Adjutant General.*

ADJUTANT GENERAL'S OFFICE,  
*Washington, September 1, 1870.*

SIR: Referring to your telegram of August 29, 1870, relative to the claim of the Indians concerning travel on the old road west of Fort Fetterman up the Sweetwater, and to my telegraphic reply of this date, I have the honor to inclose herewith copy of letter of August 31, 1870, from the Acting Commissioner of Indian Affairs upon the subject, and also an official copy of telegram from this office.

Very respectfully, your obedient servant,

E. D. TOWNSEND,  
*Adjutant General.*

Brigadier General C. C. AUGUR,  
*Commanding Department of the Platte, Omaha, Nebraska.*

HEADQUARTERS DEPARTMENT OF THE PLATTE,  
*Omaha, Nebraska, September 10, 1870.*

Official:

GEO. D. RUGGLES,  
*Assistant Adjutant General.*

FORT FETTERMAN, WYOMING,  
*September 6, 1870.*

Governor J. A. CAMPBELL:

About thirty lodges of Cheyennes are here in advance of main body, and small parties are coming in daily. They expect to be fed, and some provision ought to be made for them, as the issue to them from this post is becoming too much of a draught upon our supplies. They will be dissatisfied unless provided for. All the Cheyennes and Arapahoes will probably be here in a few days, some two hundred and fifty or three hundred lodges. Please inform commissioners.

ALEX. CHAMBERS,  
*Major Fourth Infantry Commanding.*

WYOMING TERRITORY, EXECUTIVE DEPARTMENT,  
*Cheyenne, September 6, 1870.*

GENTLEMEN: I have the honor to inclose herewith, for your information, copy of a dispatch received this day from Major Alex. Chambers, commanding at Fort Fetterman.

If you so desire, I can telegraph to Mr. Jules Ecoffey, trader, at Fetterman, authorizing him to make purchases of such supplies as are absolutely necessary for the Indians gathered at the post, and charge to Indian Department. I suppose beef can be obtained at the post, and if flour cannot be had there at present I can order it from Omaha, and have it here in a few days.

Very respectfully, your obedient servant,

J. A. CAMPBELL,  
*Governor and ex-officio Superintendent Indian Affairs.*

Hon. FELIX R. BRUNOT,  
Colonel ROBERT CAMPBELL,  
*Special Indian Commissioners, Denver, Colorado.*



HEADQUARTERS DEPARTMENT OF THE PLATTE,  
*Omaha, Nebraska, September 10, 1870.*

Official copies respectfully furnished for the information of Messrs. Brunot and Campbell, Indian commissioners.

I think it important that this question of the right to travel up the Sweetwater should be settled at the approaching council.

C. C. AUGUR, *Brigadier General.*

AUGUST 29, 1870.

A telegram was received from Colonel Chambers, at Fort Fetterman, stating that a messenger just in reported that the Sioux, Cheyennes, and Arapahoes were all coming, and would be there in fourteen days. A telegram from Fort Laramie of the same date said Chief Grass was just in from Red Cloud's camp. Red Cloud was holding council with all the Indians and would be at Laramie in fourteen days. A messenger was sent out to hasten his arrival.

Another telegram of the same date was received from Colonel Flint, Fort Laramie, announcing that messenger had just returned from Red Cloud. He sends word that they will all be at Fort Laramie "by the middle of next moon." He was the first to meet all the principal chiefs and have a talk before coming in. Man-afraid-of-his-horses was on the way from Rose Bud to meet Red Cloud at his camp on Powder River.

From these dispatches it was evident that a large body of Indians would be assembled, contrary to the wishes of the commissioners, who had previously telegraphed that they desired only to meet Red Cloud and his principal chiefs. The arrival of Indians in such numbers, it is foreseen, will be liable to cause some perplexity, unless subsistence be provided to feed them, and their expected annuity goods be on hand. At this stage of the matter Mr. Brunot sent the following dispatch to the Secretary of the Interior:

"CHEYENNE, WYOMING TERRITORY,  
"August 29, 1870, 3 p. m., Omaha time.

"Hon. J. D. Cox,

"Secretary of the Interior, Washington, D. C.

"Telegram from Fetterman informs us that Red Cloud with all the Sioux, and lodges, accompanied by the Cheyennes and Arapahoes, are en route to Fetterman, expected to arrive in fourteen days. They evidently expect their goods when they meet us. When will the goods arrive? A quartermaster train now here ought to be detained, and information sent as to the amount of transportation required. Also subsistence for a large number of Indians.

"FELIX R. BRUNOT."

CHEYENNE, August 30, 1870.

Reply to telegram sent yesterday to J. D. Cox, Secretary of the Interior, received, saying that copy of telegram had been sent to General Parker, and that he will answer.

A telegram dated Fort Laramie, August 30, from Colonel F. F. Flint, commanding Fourth Infantry, says he understands from Red Cloud's messenger that he will be there about the middle of September, this being what he meant by the middle of next moon, after the full of this moon.

Colonel Flint in his dispatch asks whether rations have been ordered to feed the large bodies of Indians that will be assembled here at the council.

A telegram from Colonel Alex. Chambers, dated Fort Fetterman, August 29, 1870, to the commissioner says that Little Crow complains of travel on the old California road, and asks if this road is to be kept open or not?

Commissioner Brunot, under date of August 30, responds in a telegram requesting Colonel Chambers to tell Little Crow that the commissioners will hear what they have to say about the Laramie road when they meet them.

CHEYENNE, September 2, 1870.

A dispatch from General Parker, dated New York, September 1, was received, saying that Red Cloud's goods were shipped at that date, and that no purchase had been made for the Cheyennes. The goods could not be expected to arrive at this point much before the 15th, about the time the Indians would be at Fort Laramie. The time for leaving for the latter place was therefore fixed for the 12th instant.

At the request of Governor McCook, of Colorado, communicated in a dispatch, it was decided to go to Denver and meet a band of Utes near that place.

SEPTEMBER 2, 1870.

The commissioners left to-day for Denver, arriving there in the evening. The next day the governor sent word to the Utes, who were camped fourteen miles from Denver to come in and see the commissioners.



## CONFERENCE WITH THE UTES.

DENVER, September 5, 1870.

A conference was held to-day at the territorial office with a small band of Utes known as Colerows or Colorado's band. There were about thirty warriors present. Among the chiefs were old "Colerow" Pe-ah, or "Black Tailed Deer," the leading chief; Youring, or "Bear;" Ta-no-a, or Washington, so named from a silver medal worn on his breast, which was captured from the dead body of a Cheyenne; Wan-gish, or Antelope, and Captain John, a brave, who in 1867 assisted the troops in fighting Cheyennes; he was the adjutant of Pe-ah, the head chief.

In a preliminary interview with Governor McCook, he informed the commissioners that the Indians understood the character in which the latter came, and their advice would carry a good deal of force with the Indians. The governor said he was in favor of turning over the Indian agency to the army officers; and as to the duties of governor and Indian superintendent, he was satisfied it was a duality of office that ought to be separated. There was a conflict between the Indians and the people of the Territory that made the duties of both officers unpleasant and unsatisfactory. He said all the agency buildings were erected, except the school-house at the upper agency; the former had not yet done anything. The crops looked well, which, with the sale of timber, ought to support the agency. A man named Brown was placed there as temporary agent by him. At the lower agency the agent had made a contract to supply timber at \$18 per thousand feet. The Indians say their hands are too soft to work, and that their ponies can't plow. As a matter of volition the governor thinks these Utes won't work. The soldiers might compel them to perform manual labor, but only as slaves. The chiefs have promised to send their children to school. They say they won't work themselves, but that after awhile their children may learn to work. He said further that no effort had yet been made to consolidate the different bands of Utes upon the agency. Obstacles had been thrown in the way by white men who ought to be expected to do otherwise. One difficulty that arises is in consequence of the Indians not knowing the boundary lines of their reservation. The governor pointed out the boundaries, according to the treaty, upon which a different construction is made by the Utes. There is, he said, but little use in treaties. If the Indian could be made to feel that he was the owner of 160 acres of land, and be made to understand that for the commission of any offense he would be tried and punished, and coupling this with the abolishment of the tribal relation, it would, in his opinion, do more to civilize them than anything else. Here we recognize the chiefs and sanction the barbarous tribal relation. There is a mistake in underrating the intelligence of the Indians, who know they can shield themselves behind the chiefs under the tribal relation. Governor McCook's suggestions, in their particular cases, are identical with the recommendations of the commissioners in their report in 1869.

After the above interview the commissioners, with the governor, entered the room where the Indians were seated, bedecked in the usual Indian manner and their faces painted with vermilion.

The governor addressed Pe-ah, the principal chief, through Mr. Curtis, the interpreter, telling him that the commissioners came here without receiving any pay for their services, clothed with authority from the Government to hear what they had to say, and learn what their condition is. This is their object in coming here. They want to benefit them in every respect. This is a part of the work they have to do with all the Indian tribes. After hearing what the Utes have to say they go to see the Sioux. Then they return to Washington and tell the Great Father what they have heard. We want you to listen to their advice because it will be good. The chief was then told to make known what he had to say.

Pe-ah then spake: He said he remembered the treaty signed at Washington, and was on hand to carry it out. The Utes have no desire to steal, and want to meet the whites as friends whenever they come here. He has a good heart and did not wish anything to go wrong. He wants to come in with his game and pelts. He always considered the whites as their friends, but had been at war with the Cheyennes and Arapahoes.

Mr. Brunot said they were glad to hear that they were friends and did not steal. He hoped this would always be the case. But, said he, "while we like to see them as friends, we do not like to see them here where bad men may take advantage of them. We are sorry to see them living so close to the whites. We would rather see them where the game is plenty and where they would not get into trouble with the white men. We think if they would go on the lands where the treaty which they made told them to go, that instead of being, as they sometimes are, in a starving condition, they would have their agency surrounded with green fields, just as they see it about Denver, where the water comes down from the Platte. Their children, after a time, would have schools and be as wise as white children. The game is getting scarce, it will soon be gone. Their chiefs will grow old, and the children that are growing up, what will become of them? At Washington is an Indian man, a chief among white men



He is their Indian Father who sends out their annuities. Once he was like the Ute children, now he has become a great chief. If you send your children to school they may become like this man, chiefs among the white men. We want to know why the Utes are not willing to go on the reservation and have these things done."

Pe-ah said their great chief died and was buried here, and it was hard to forsake the graves of their kindred. Another objection to living on the reservation is that the Indians from Utah were constantly stealing from them.

Mr. Brunot told him that when the annuity goods came out in the fall the Governor would send them to the reservation. We want you to return there and try it, see whether you do not like it. We have nothing to give but to advise you. We think the best way is for you to go on the reservation, and we urge you to go this fall and try it.

Pe-ah said he did not like to talk about it. He did not feel disposed to go there. He gave his reasons, and they were sacred to him.

Mr. BRUNOT. There are some bad white men, some who bring whisky, and they cause trouble when you live near them. We want you to think about it, make up your minds, and tell the governor. He is your friend, and will give you good advice.

Pe-ah said his aspirations were to stay here for a while, and then go out among the prairie Indians and shoot buffalo. He would stand his chances in getting scalped.

Mr. Campbell then spoke to the chief, remarking that the President was desirous of taking care of the Indians, and did not want them to perish for want of food. When he first came out here, a long time ago, buffalo were plenty. Now they are fast disappearing. Small game is also getting scarce, and soon there will not be enough left for them to live upon. They should learn to till the soil like the whites, and as it is done by the Indians in the East. They are men, and cannot expect to be fed like children.

The chief, in reply, said it was contrary to traditions to till the soil. It was easier to go down where the buffalo was plenty and get hides and meat, and trade them with the traders.

In answer to a question by Governor McCook, in which the alternative would be presented of receiving no more goods or go upon the agency, Pe-ah said he would prefer not to go on the reservation if he did not get a rag.

In answer to a question by Mr. Brunot, he said he was not afraid of the Indians at Salt Lake, but they were constantly stealing their stock.

Mr. BRUNOT. Would you not like schools and a teacher to teach your children?

PE-AH. I think a good deal of my boys, but hate to have them away from me and their mother, as they would be crying all the time.

Governor McCook. If schools are near by him, what can be his objection?

PE-AH. Schools do for Shawnees; I saw schools there, but for those who hunt deer, schools are bad medicine.

Mr. BRUNOT. The Great Father has seen the treaty that you have signed, and I wish I could tell him that you were going on the reservation, as you agreed.

Pe-ah said he could not help it, and he did not know what his Great Father would think of him. He did not think the present generation would settle down, but probably the next generation might do so.

The chiefs were told to call at the rooms of the governor if they had anything more to say to the commission, and the conference broke up.

The next day Mr. Brunot met Pe-ah and some of the principal chiefs at the governor's office. A conversation was carried on through Captain John, an Indian—or Jacks, as he is called—who spoke some broken English. The talk elicited no change in the minds of the Indians in regard to their unwillingness to go upon their reservation.

#### RETURN TO CHEYENNE WASHINGTON TERRITORY.

CHEYENNE, September 10, 1870.

Having returned from Denver, the commissioners received a dispatch from General Augur, dated Omaha, September 10, inclosing a telegram from Major Chambers. This dispatch stated that about thirty lodges of Cheyennes had already arrived in advance of the body. They all expected rations, and objected to going to Laramie. The Cheyennes, when the main body came in, would number 250 to 300 lodges.

The Sioux, who were congregating at Bear Lodge, expected their supplies when they should arrive at Laramie. From 1,500 to 1,800 lodges would be present, it was estimated, at Fetterman and Fort Laramie. The major says if rations are issued from his post it will cause a deficiency in supplies there. He, however, had been issuing small quantities to parties coming in, and would continue to do so unless prohibited. General Augur adds that they could not feed the Indians at Fort Fetterman, and that he had directed Major Chambers to tell the Indians so, and that the commissioners expected to meet them at Fort Laramie. The general further adds that, if so many arrive even at Laramie, large preparations must be made to feed them. To meet the exigency referred



to in General Augur's dispatch, and to provide accordingly for feeding the Indians, the following dispatch was sent by the commissioners:

*Telegram to Major Chambers.*

"CHEYENNE, September 12, 1870.

"Major ALEXANDER CHAMBERS, Fort Fetterman:

"Have you heard from Red Cloud lately, and when will he probably be at Fort Laramie? Arrangements have been made to ration all the Indians at that place. If your commissary will furnish the Indians at Fetterman such supplies as are necessary, we will have them replaced. We do not propose to go to Fetterman.

"FELIX R. BRUNOT.

"ROBERT CAMPBELL."

*Telegram to General Augur.*

"Major General AUGUR, Omaha:

"We will arrange to feed the Indians at Laramie, and would like to have those at Fetterman supplied by the commissary, we agreeing to replace the amount or settle for it. We will not leave here until the 19th unless Red Cloud should arrive sooner at Laramie than is now expected.

"F. R. B.

"R. C."

At the request of the commissioners Governor Campbell telegraphed to Augustus Kountz and J. B. Hoffmayer, agent of General Dodge, asking them at what rate they would deliver 200 sacks of flour at Cheyenne, and the following replies were received:

"COUNCIL BLUFFS, September 10, 1870.

"Governor J. A. CAMPBELL, Cheyenne:

"Will deliver 200 sacks superfine flour at Cheyenne, \$3 per sack. Do you want it?

"J. C. HOFFMAYER."

"OMAHA, September 12, 1870.

"Governor J. A. CAMPBELL, Cheyenne:

"B. D. Curry, for whom I will vouch, will furnish 200 sacks of superfine flour, delivered aboard cars at Cheyenne, for \$3 50 per sack. Cash or its equivalent.

A. KOUNTZ."

The commissioners therefore authorized the purchase of 200 sacks of flour from General Dodge, at Council Bluffs, at the rate of \$3 per sack, to be delivered at Cheyenne.

On the 17th the annuity goods and the flour were transhipped for Fort Laramie. Captain Bailey, the commissary at the latter post, who arrived at Cheyenne the next day, informed the commissioners that beef and other things necessary to feed the Indians could be furnished in the usual way through the Commissary Department, and all further anxiety on that score was dismissed.

#### DEPARTURE FROM CHEYENNE, WASHINGTON TERRITORY.

MONDAY, September 19, 1870.

The commissioners left Cheyenne to-day for Fort Laramie, distant ninety miles directly north of the Union Pacific Railroad. They were furnished with ambulances and an escort of two companies of Fourth Cavalry, under command of Colonel Crittenden, by order of Major General Augur. The party were accompanied by Governor Campbell and Dr. Reed, surveyor general of the Territory, who had several parties out engaged in the survey. Leave was taken of General King, commandant at Fort D. A. Russell, who, with other officers at the post, were very obliging in their attentions and proffering any assistance that was needed. Our route lay along the east flank of the Laramie Mountains, or Black Hills, from fifteen to twenty-five miles distant, over the fine natural roads that are a feature in this country. We passed Lodge Pole Creek and camped for the night at Horse Creek, twenty-five miles distant from Cheyenne. The next day we passed over the same unvaried, treeless region, and camped on the Chugwater, a fine stream margined with willows and box-alders, and which courses its way through a fertile valley about one hundred miles from its source in the mountains to the Laramie, into which it empties. The valleys along these streams are preëminent for stock-raising, and they afford nutritious pasturage the year round. But few herds were seen, owing to the general insecurity felt on account of the



Indians. We were told, however, that there had been no raids made by the Indians since last spring, when two of them were killed and one wounded while attempting to steal some mules a short distance from the mail station on the Chug. The assurance of an exemption from marauding Indians will result in filling up this country with stock ranches, especially along the water-courses, and developing its agricultural capacity, which can only be done by a system of irrigation such as has been attempted in the neighboring Territory of Colorado.

#### ARRIVAL AT FORT LARAMIE.

Arrived at Fort Laramie on the afternoon of the 21st, having camped out two nights, reaching there about the same time with the annuity goods. Two horses which escaped from Red Cloud's party last spring near Pine Bluff have been since recovered, and were brought over from Fort Russell to be delivered up to Red Cloud when he arrives.

On arriving at Fort Laramie we found a numerous body of Indians camped near the post, comprising about 350 Cheyennes under Dull Knife, Gray Head, Little Crow, and some other leading braves. A few Minneconjoux, under Roman Nose, and some scattering Brulés were also camped in the vicinity of the post. They were receiving rations of beef and flour from the Quartermaster's Department, under the direction of Colonel Flint, commandant of the post. Red Cloud and Man-afraid-of-his-horses had not yet arrived. They were reported to be in the vicinity of Dry Fork, one of the branches of Cheyenne River. It was said that Red Cloud would not start to meet the commissioners until he heard of the arrival of the latter at Fort Laramie; also, messengers, including a son of the chief, had been sent several days before, informing Red Cloud that the commissioners would be at Laramie on a certain day.

FORT LARAMIE, *September 22, 1870.*

Living Bear and Gray Eye's messengers, who had been sent out to Red Cloud's camp, came in to-day. They report that Red Cloud is waiting to bring in the chiefs of the other bands. He had held councils with these various bands, and it was evident that he was sincerely desirous that all should be represented at the approaching talk with the commissioners. It was conceded, by those best informed about the post, that Red Cloud had acted in good faith since his return from Washington, and the cessation of hostile attacks from the Indians inhabiting the northern portion of Wyoming Territory was generally admitted to be owing, in a great measure, to the direct influence exercised by that chief. Since about the middle of June last there have been no instances of marauding parties attacking the settlers or driving off stock from the ranches and the Government posts. But nevertheless, there is a general feeling of insecurity on the frontiers away from the settlements, which will require some time to eradicate, even should no overt acts be committed by Indian marauding parties. An Indian's safety, on the other hand, is in imminent peril should he be found traveling outside the reservation, and he is in danger of being waylaid and shot. Such instances are frequent, but no account is made of the matter, while attacks on roving parties of whites trespassing on the Indian reserve is given every possible degree of publicity, with usually a highly-colored account of the aggravating circumstances attending the act.

Some of the Cheyenne chiefs came in to-day to have a talk, but they were told to come in next day. It was considered proper not to enter upon a general talk in regard to business until the arrival of Red Cloud and the other prominent chiefs, except to obtain information and see that provisions were made to supply their immediate wants.

#### THE CHEYENNES.

FORT LARAMIE, *September 23, 1870.*

An interview was had this morning, of an informal character, between the Northern Cheyenne chiefs and the commissioners. There were present Dull Knife, Grey Head, (a brother of Bull Bear, leading chief of the Arkansas tribe of Cheyennes,) Little Crow, and Little Wolf.

Mr. Brunot informed the chiefs that they (the commissioners) did not expect to find them here, but were very glad to see them. It was not intended to have a general talk with them until Red Cloud came, when we would see them altogether. He wished them to understand that they did not want to talk about business now.

The chiefs did not appear to be dissatisfied with what was told them. Dull Knife, in reply to a question, said that a few of the Cheyennes that had been here had left, among them Turkey Leg, who was taking away the bones of his son, killed on the Chugwater last winter. Turkey Leg, he said, wanted to go to his family at Fetterman, as he had left them with nothing to eat.

General Flint informed the Indians that he would provide them with what rations they needed.



Dull Knife said that Medicine Man was at Bear Lodge making medicine. He had with him 130 lodges. Whatever Medicine Man decides on his band would follow.

The interpretation in the above interview was carried on through "Cheyenne Bob," a full-blood Indian, who interpreted the Cheyenne dialect into the Sioux tongue to Leon Pallarday, the Sioux and English interpreter temporarily employed for the occasion.

FORT LARAMIE, *September 24, 1870.*

Most of Cheyennes, with the exception of the chiefs and the leading men, left this morning for the neighborhood of Fort Caspar, above the Platte Bridge, to hunt Buffalo, which were reported to be quite plenty. They took along the three days' rations furnished them by General Flint, the commandant of the post. Red Leaf had left for the same point the day before.

SEPTEMBER 25.

John Richards, the interpreter who accompanied Red Cloud to Washington, came in from the camp of the latter this evening. He reported that Red Cloud had arrived at Dry Fork and would be to-morrow at Lance Creek, where was camped Man-afraid-of-his-horses.

Living Bear, who came in on the 27th, reported the same state of facts, and that Red Cloud would be in on Saturday or Sunday.

SEPTEMBER 28, 1870.

About 200 Minneconjou Sioux, of Roman Nose's band, came in this afternoon and camped on the Platte. Among the chiefs, besides Roman Nose, who had arrived several days before, were Elk-that-whistles-walking, Little Bull, Little Pin, and some others. They called at the house of Colonel Flint, who gave them an order for 2,000 rations.

#### INTERVIEW WITH SIOUX AND CHEYENNE CHIEFS.

FORT LARAMIE, *October 1, 1870.*

Man-afraid-of-his-horses, Ta-shun-ka-co-qui-pah reported with a number of chiefs this morning at the quarters of Colonel Flint, they having arrived here the night before. Accompanying him were Grass, Gray Bear, and the Medicine Man of the Northern Cheyennes. They desired an interview, and Colonel Flint sent for Messrs. Brunot and Campbell to come and hear what they had to say. As in the case of the previous interview with the Cheyennes, it was the intention of the commissioners to avoid the consideration of business matters until the arrival of Red Cloud, so as not to excite the jealousy of those not present. Man-afraid-of-his-horses had previously sent word that he could not talk on an empty stomach.

Man-afraid-of-his-horses said in answer to a question, that he left Red Cloud at the forks of Lane's Creek, and that he was waiting there to hear further news from the commissioners. Different reports had been received.

Mr. Brunot said: "The news that we have is that we want to see Red Cloud. We want to see you all together. We came a long way to see you, and have been waiting a good while. We come not so much because we belong to the Government at Washington, but because we are your friends, and we think you ought not to keep us waiting."

Man-afraid-of-his-horses wanted to know the reason why they were sent for, to which Mr. Brunot replied, that when Red Cloud was in Washington he was told some things, and after the talk, he wanted to return and see his people about these matters. We now come to hear what he has to say after consulting his people. We want to see him and the other chiefs here, to give them good advice, and we think if the Indians do right, and the white men do right, there will be no further cause for trouble between them.

Man-afraid-of-his-horses said he came three hundred or four hundred miles to see the commissioners. His stock was poor, and he traveled as fast as he could. He heard different stories, but came on to see for himself.

Mr. Brunot said they wanted to have a good understanding, so there would be no more trouble between the Indians and the whites.

Man-afraid-of-his-horses then wanted to know if they had any ammunition to give, to which Mr. Brunot answered emphatically, No; and changing the subject he said he was sorry he did not meet the chief when Red Cloud was in Washington.

In answer to a question from the commissioners whether buffalo were plenty in his country, Man-afraid-of-his-horses told John Richards, one of the interpreters, that he ought to know, as he had been all through the country scaring them away. This report was applauded by the other chiefs in attendance. General Flint taking advantage of the opportunity told the chiefs that he had two horses belonging to Gray Head



and his son-in-law, both of whom were present. He said the horses were given to them last summer at Pine Bluffs, when returning with Red Cloud from Washington, and having strayed away he promised to return them when recovered, which he was now able to do. Gray Bear appeared highly pleased and shook General Flint by the hand in grateful recognition of the favor. The incident produced a visible effect on the assembled Indians.

Mr. Brunot told them that this was the way we wanted the stock returned belonging to the whites, to which some of them nodded approval.

Man-afraid-of-his-horses said he wanted the commissioners to open their hearts, and that as soon as he got his rations he intended to leave for Red Cloud's camp, and would come in with him. General Flint told him that two months ago messengers were sent out, telling them that the commissioners were coming, and they sent back word that they would be in by the middle of the last month; and on this he telegraphed to the commissioners to come on and meet them. He did not send out tale-bearers, but told them the truth. Red Cloud knew when they were to be here, as his own son carried the information to him.

A suppressed conversation was carried on by the Indians, and the interpreter said they were anxious to know if they could have ammunition. The interpreter was told to inform them that they could not, and Mr. Campbell tried to impress on their minds that the commissioners had been kept waiting, and they wanted no further delay. Red Cloud must be in here by Tuesday or Wednesday at the latest. It was then agreed that Grass should start out immediately for Red Cloud's camp, and bring him as early as Tuesday, if possible. An order was given the Indians for rations by General Flint, and the conference then broke up.

#### ARRIVAL OF RED CLOUD.

FORT LARAMIE, *October 4, 1870.*

Several days having been spent in patiently waiting for Red Cloud, information was at length received this morning that the chief, with his entire village was encamped about twelve miles out. His coming disappointed the predictions of some persons, but the commissioners had confidence in the good faith of Red Cloud, and were satisfied that his tardiness was owing to the desire he felt that all the Indians whose influence was of any importance should be present at the councils. Red Cloud doubtless thought that their presence was necessary to any agreement that should be made, and also a pledge of their future good behavior. It was conceded that, since his return from Washington, no war parties had been sent out, and no depredations had been committed by the Sioux in the Territory. The next day the Ogallallas camped on the Platte, about three miles above the post. Many persons went out to see the Indians arrive with their long train of ponies and pack animals carrying the baggage and tepees. It was expected that Red Cloud, as on former occasions, would come in to the post with his band mounted on ponies, and with a great flourish. But owing to a furious wind and dirt storm, which prevailed at the time, or from some other cause, only about two hundred of the warriors came in. Their approach was announced by shouts and the usual exultations. This party, after partaking of a feast in front of McClusky's, the interpreter, then returned to their village.

Captain Luhn, the quartermaster, at the suggestion of the commissioners, and by order of General Flint, erected a commodious double tent on the bottom prairie, a short distance below the post, for the purpose of holding the approaching councils.

Red Cloud, who was very much fatigued, sent word he would come to see the commissioners next morning.

#### THE COUNCIL WITH RED CLOUD.

FORT LARAMIE, *October 5, 1870.*

After a preliminary interview this morning between the commissioners and Red Cloud, it was arranged to have the council held in the porch of General Flint's house, in accordance with the wishes of Red Cloud, he having objected to a meeting in the tent, which had been expressly put up for the occasion. He objected to talking in a tent, and wanted the council where all the people could be present and hear what was said. The council was attended by a large assemblage of Indians, together with the residents and visitors at the post. Among the principal chiefs of the Ogallallas present, beside Red Cloud, were Man-afraid-of-his-horses, Red Dog, and Grass. The proceedings were opened, at the request of the commissioners, by the commandant of the post, General Flint, who, addressing the Indians, said:

"My friends: I am glad to see you here. Two months ago, by direction of the President of the United States, I sent messengers to Red Cloud, inviting him to come here and see the commissioners. In compliance with that invitation, you are all assembled here, and in behalf of the President and the officers of this post, I bid you



all welcome. When Red Cloud left this post in May last, he told me many of his people wanted to come in and hear the news. He said he wanted me to furnish them with provisions and treat them kindly. I promised to do so, provided they conducted themselves well and send out no more war parties. During the five months that have elapsed since then no blood has been shed, and I see no reason why it may not always continue so. This is what we all wish and the President is desirous of bringing about. With this view, the President has sent out Messrs. Brunot and Campbell, as commissioners, to hear what you have to say. They are men of honor, upright and good, and I earnestly wish you may follow their advice. They are your friends; they have left their homes to come and see you without compensation, and I hope they will do you good. We see many of our friends present, but we do not see the Great Spirit, who also is present. He watches over our deliberations to-day, and will judge of what we say and what we do and promise. Hoping that this council will be productive of peace and happiness to you and all, I again bid you welcome to the post."

Mr. Brunot then said: "My friends, the general has spoken to you of the Great Spirit. Nothing we do can prosper without His blessing. There being no chaplain present, I now propose asking in prayer a blessing upon our council."

Amid the most respectful attention the following prayer was then offered:

#### COMMISSIONER BRUNOT'S PRAYER.

"Almighty God, Father of all mercies, we, Thine unworthy servants, do give Thee most humble and hearty thanks for all Thy goodness and loving-kindness to us and to all men. We bless Thee for our creation, preservation, and all the blessings of this life, but above all for Thine inestimable love in the redemption of the world by our Lord Jesus Christ, for the means of grace and the hope of glory. And we beseech Thee to give us that due sense of all Thy mercies, that our hearts may be unfeignedly thankful, and that we may show forth Thy praise not only with our lips but in our lives. We thank Thee that Thou hast put it into the hearts of the rulers of our land to do justly and love mercy in their dealings with all people. Grant that they may both perceive and know what they ought to do, and also have grace to perform the same. We beseech Thee to bless the efforts of Thy servants who are here in their behalf to promote peace and friendship with the aborigines of this land. May our words and counsels be tempered with wisdom; may the hearts of these Indians be made sincere, and their words truthful, and may savage warfare cease. Grant that they may be led into the way of peace and civilization, and in Thy own time may these heathen be claimed for the inheritance of our Lord and Saviour. Bless, we beseech Thee, the officers and soldiers of our Army, and especially those who are here present. Give them wisdom and courage for every duty, and so incline their hearts that they may become true soldiers of Christ our Redeemer. Grant Thy blessing to every one here present, and upon all the deliberations of this council. All these things, and whatsoever Thou seest we need, we ask in the name and for the sake of Jesus Christ, our Redeemer, to whom, with Thee and Thy Spirit, be all honor and glory forever. Amen."

Mr. Brunot said: "When you came to Washington the President and the Secretary of the Interior told you that Mr. Campbell and myself would come to see you out here. He told you that we would not come to get money, lands, or any rewards from you. He told you we would not come for payment of any kind—that we were not paid for coming. For what, then, did we come? We came here because the Great Spirit commands us, and tells us that the white man possesses knowledge and many good things you do not, and which it is our duty to impart to you. So we don't come as officers of the Government, but as your friends. We want to know that you are beginning to do everything that is right. The Secretary told Red Cloud another thing—that we would come to hear what he had to say after seeing his people. Although we will have more to say to him, we want now to hear what Red Cloud has to say, so that we can carry his words to the Great Father at Washington."

Red Cloud then arose, and walking toward the outside group, raised his hands toward the skies, and then touched the ground. Then all the Indians rose to their feet, as with uplifted hands Red Cloud uttered the following prayer:

#### THE PRAYER OF RED CLOUD.

"O Great Spirit, I pray you to look at us. We are your children, and you placed us first in this land. We pray you to look down on us, so nothing but the truth will be spoken in this council. We don't ask for anything but what is right and just. When you made your red children, O Great Spirit, you made them to have mercy upon them. Now, we are before you to-day, praying you to look down on us, and take pity on your poor red children. We pray you to have nothing but the truth spoken here. We hope these things will be settled up right. You are the Protector of the people who use the bow and arrow, as well as of the people who wear hats and garments, and I hope we don't pray to you in vain. We are poor and ignorant. Our forefathers told



us we would not be in misery if we asked for your assistance. O Great Spirit, look down on your children and take pity on them."

Returning to his seat, he said: "You two (to the commissioners) are my friends; I want you to listen to what I say; I have nothing more to say now than I said to my Great Father; I want you to carry back what I say. We are all Ogallallas and friends, and that is why we are here. (At this point Red Cloud stopped, and requested that a photographer who had his instrument pointed on the assemblage should withdraw; he said the Indians objected to it. General Flint had the instrument removed, and Red Cloud continued.) When at Washington we heard the Great Father's words; we saw a great many chiefs, and talked with them; what I then said, I repeat now; I have not since changed my mind. I then promised to stop war parties from going out, and have succeeded. It has been five months since I returned from Washington, and it now makes my heart glad that there has since been peace. At the treaty of 1852 the Great Father told me he would give me annuities for fifty-five years, but I only had annuities for ten years. In 1868 he promised that white men should not pass through my country, and I told my people so; I am now ashamed of my words. Why does General Flint here, and Major Chambers at Fort Fetterman, not stop these white men going on to my lands. They know that white men pass through our country; and lately a cattle-herd passed through."

Mr. Brunot here remarked that he was told the Indians agreed to let the cattle go through. The interpreter also explained that Mr. Brunot was telegraphed to at Cheyenne on the subject, and sent word back that the matter would be arranged when the commissioners came to Fort Laramie.

Mr. Brunot said: "There is a mistake about the boundary line. We want to understand that matter with Red Cloud. The Great Father wants the old California road kept open; he don't mean that the whites shall pass north through Red Cloud's country; but this road from the Platte bridge only passes on the north side of the Platte for a few miles, and comes back again to this side."

Red Cloud said he did not understand it in this way. The Great Father, he said, wanted a railroad and two roads on each side, and when he asked him payment for the right of way for the railroad, he said it had been given to another chief.

Mr. BRUNOT. We want the Indians to fully understand about this California road, and would like to show Red Cloud from the map how the road runs. The Great Father does not intend that the road shall be closed.

RED CLOUD. I did not understand it so, and when I left Washington my Great Father said that Fort Fetterman was there to watch my interest as well as his. He has told me an untruth.

Mr. Campbell told Red Cloud it was but a short distance, if any, that the road had to go in his country, and that it did not interfere with his country at all.

Mr. Brunot said: "We would like to understand about that little piece of road. Red Cloud ought not to object to it, but we will tell the Great Father what he says about the road."

Red Cloud said: "At all the councils before they never spoke about the roads through these lands. They spoke about the roads on the Missouri. As the Great Spirit is above us, that is the way that I understood what was said in those councils. I think you ought to be satisfied and let me live in peace on the lands that belong to me. I told my Great Father that he did not need any more of these lands. The Great Father's houses in Washington are full of money stolen from the proceeds of our lands. I want you to look at this from a good heart. I am now close to where the sun sets; my people were once where the sun rises. I have a good heart and good sense, and I want my rights. That is the way the whites make their money; they cheat those who are not smart, but I have sense and a heart, and they cannot cheat me. At the beginning of the war the whites shot each other down like dogs. They got into a war among themselves. My Great Father afterward sent his soldiers out here to spill blood. I did not first commence the spilling of blood. The Great Father did not look after us. That is the reason I went to Washington. I wanted the Great Father to quit the spilling of blood. When I was at the council in Washington I spoke these words, and have not since changed my mind. My friends, look all round this post, and you will see the bones of my people. I told my Great Father I wanted two traders here, to trade as they did before. I don't want my trading post across the river. I want it ten miles above here, at Mr. Ward's house. I want to know also what kind of presents you have brought me here, that you have come to see me with."

Mr. Brunot then said, in reference to the trading post, that "when the treaty was made with General Sherman and General Harney in 1868, the Sioux agreed to go on the Missouri to live. Red Cloud signed that treaty, but he told the Great Father since then that it was too far, and he did not want to go there. The Great Father did not want him to come on this side of the river with his people, as they would meet bad whites who would sell the Indians whisky, and cause trouble. The Great Father listened to Red Cloud, and then told us when we came to see him here, that if Red Cloud would prefer it to going to the Missouri, he could have a trading post north of here."



where the whites would not trouble him, and that we might agree with Red Cloud about that. We were glad that the Great Father consented to let Red Cloud have his trading post near the Ogallallas' hunting country. We thought he would like to have it located at the Raw Hide Buttes, or somewhere around there."

RED CLOUD. We are all peaceable, and we intend to remain peaceable, as you may see by the way we have acted, and why can we not have our agency above here on the Platte where we want it?

MR. BRUNOT. The Great Father has told us that bad white people may make trouble, and that is the reason why he wanted the trading post in the Indians' own country, where none but such white men could go as the Great Father may send for the Indians' benefit.

Red Cloud said: "I want my trading post on this side. The white people go on the other side of the river, and my Great Father has not done as he said. He told me that none should go on our land. A party went through with a cattle herd, and now another party is cutting hay across the river below the post."

Mr. Brunot replied that the Great Father would let no one go and live in the Indians' country, and as commissioners they could say, that is what the Great Father means, but for his own purpose he claims the right to go there.

RED CLOUD. My Great Father has deceived me. He has made me and my young men ashamed. He told me he would let no one go across the river; now there are men cutting hay on that side. I learned when in the States that when a man cut hay or wood on another's land, he had to pay for it, and why can't I get payment for the same?

Mr. Brunot said: "If you ask pay we will tell the Great Father your wants. When Red Cloud was at Washington he said he did not get the goods that were sent him. The Great Father said that he wanted the Indians to get everything intended for them, and we told him that we would take care that Red Cloud should receive all his goods this time. We don't know much about the goods, but hope that he will like them. They consist of articles to wear and use. We hope that we can go back and tell the Great Father that he likes the goods very much, and if any do not suit, the next time we will get such goods as will be sure to suit him."

Red Cloud then wanted to know of what the goods consisted, and was told by the commissioners that there were blankets, domestic calicoes, flannels, clothes, hats, butcher-knives, axes, and tobacco.

Red Cloud said he told the Great Father that he wanted ammunition to kill game. It was the only thing he had to live upon.

Mr. Brunot told him that the Great Father did not send any ammunition by the commissioners. He thought there had been five years of war and only five months of peace. He hoped the peace would continue always. Red Cloud and Man-afraid-of-his-horses had said so. What does Red Cloud think about it?

RED CLOUD. If the Great Father looked after my interest, and kept white men out of the country, peace would last forever; but if they disturb me there will be no peace.

MR. BRUNOT. We want Red Cloud to be satisfied about passing on the California road, and cutting hay for the fort on their lands. We will tell the Great Father about these matters, but he must not allow a little thing like that to create trouble in his heart, or war with the Great Father's people.

RED CLOUD. I don't intend to make war about a little thing like that, but I want you to understand that the Great Father has made me ashamed before my people, because he told what was not so.

Here an explanation was made by General Flint in relation to the hay-cutting.

Mr. Brunot added that the Great Father intends that all parts of the treaty shall be carried out, but he does not understand it the same way as Red Cloud. He does not understand that he is not to send men across the river for his own purposes.

#### INFLUENCE OF INTERPRETERS.

Red Dog now rose and said, that what the Great Father had decided, he decided the same. At this stage of his remarks, he requested Mr. Pallarday, who had been an interpreter for General Harney, on the Missouri, to come forward and interpret what he had to say. Pallarday had commenced interpreting Red Dog's speech, when at this juncture Sitting Bear rushed forward, armed with a war club, and seizing the interpreter by the shoulder would not allow him to proceed, assigning as a reason that he belonged on the Missouri River. Mr. Pallarday withdrew amid considerable sensation, caused by the interruption.

Little Wound, a Brulé Sioux, then harangued the Indians present, as follows: "This young man, Sitting Bear, has a right to put him down. Pallarday, in 1863, was the cause of our going on the Missouri River, where he was the interpreter. He lied to us, and is the cause of all our trouble. Let him get out of here, and keep on the Missouri."

Little Wound to Red Cloud: "You went to the States and brought the words of the



Great Father. During the war I was strong-hearted, but now I am poor and have nothing; but I did not listen to the words of the Great Father, and his soldiers cleaned us out. Now we have no houses, nor anything. If you go to war with the whites you have no country to go to. Now it is our duty and interest to be peaceable, and mind what our friends here (the commissioners) have to tell us."

He wanted the council postponed till morning. Others attempted to speak.

Sword said, he thought when he made peace with the Great Father that he was to have ammunition.

At the suggestion of Red Cloud, assented to by the commissioners, the council was then adjourned till the next day, in order that the Indians might adjust in their own council the difference which had led to the excitement.

#### PRIVATE CONFERENCE WITH RED CLOUD.

In the afternoon, after the councils, the commissioners had a private interview with Red Cloud, and the other chief men of the tribe, at the residence of Colonel Bullock. The chiefs present, beside Red Cloud, were Man-afraid-of-his-horses, Red Dog, and Grass.

The meeting being without the formality of a public council, freedom was allowed for unrestrained expression of opinion.

John Richards, the interpreter, after a talk with the chiefs, told the commissioners that the former had made up their minds to have their trading post on this side of the Platte. He said it was a good thing to go slowly with the matter, as, perhaps, in a year or two, they may consent to have their agency on the other side of the river.

Mr. Campbell said: "The Government will not consent to have a trading post on this side of the Platte. It must be located on the other side. If established on this side the whites could not be prevented from selling them whisky, and causing them trouble. That is what the Great Father wants to avoid. He wants them where the whites would not interfere with them. The Rawhide Buttes, where an agency is proposed, is nearer to them than the place where they ask to have it. The north side is their territory. We want to place them where there will be no cause for trouble. We want them to have traders where they will be free from soldiers. The President desires this to prevent a renewal of the war."

Red Cloud said they had an agency once before on the Rawhide, and it was abolished. In old times they lived at peace, and he thought they could do so again.

Mr. Brunot said there were then fewer white people. He assured the chiefs that they were not talking for Government, but for friends, and were advising this for the good of the Indian.

Red Cloud said when he saw his Great Father he asked for a trader, and was told that he might have one at Horse Head Creek, but he did not want one there. He asked that the Great Father be telegraphed to in regard to the matter, even to have the agency on this side a temporary one.

Mr. Campbell replied that it would give the Great Father trouble. It would lead to trouble, and perhaps cost more lives, but with the trading agency on the other side there would be no cause for trouble.

Red Cloud said that all the troubles before were not owing to the fault of his band. The trouble was started by the Santees. He wanted peace; that was the reason he came to meet the commissioners, to secure peace.

Mr. Brunot said that he and Mr. Campbell expected to make arrangements about the agency on the Rawhide Buttes, and have a satisfactory understanding. Changing the subject, he spoke of schools for the Indians, telling Red Cloud that the buffalo would be gone, and after a while the children would want to live in some other way than by the hunt. The Indians admit they are ignorant, and we want to send them teachers. Anything that is bad in the past, we want them to forget and begin anew. Other cogent reasons in favor of the introduction of teachers to bring up their children were presented, which, on being interpreted, Red Cloud replied that the game was becoming less every year, but if the whites had never troubled them they would still have plenty of game for subsistence, without the necessity of farming. He said that in 1865, when he made a treaty with Colonel Maynadier, he tried to stop the road through to Phil. Kearney and on the Powder River, which brought on the war. Generals Harney and Sanborn only told us to go to the Missouri River, and told him to sign the treaty, but they never told him what was in the treaty. He understood he would have the privilege to trade here. He remembered telling his Great Father that when game got scarce, he would have schools; but it was too disagreeable to have them now, as he had plenty of buffalo yet in his country, and can raise his children on buffalo.

Red Cloud said he had six grown children, and Red Leaf had five, all grown; and neither of them had grandchildren.

Mr. Brunot urged upon the minds of the chiefs that it was better to allow their children to begin soon to learn like white children. He told them that he knew they were thinking about this matter, and they will want their schools before long.



In reply to a question, Red Cloud informed the commissioners that the Ogallallas had six hundred lodges altogether, but only four hundred and fifty lodges here. The Minneconjous have five hundred lodges on the Missouri River, and three hundred lodges here. He said the Northern Cheyennes had been with him a long time, and he had no objection to their being in his country. The Arapahoes had also been a long time in his country, and were, he said, a very good people.

After Black Bear and seven others of the Arapahoes were killed, they killed some of the miners to avenge their deaths. Black Bear had got in with the Snakes, and was fired upon by the whites, and killed.

After some further desultory conversation, the parties then separated with a very good feeling toward each other, it being understood that the Ogallalla chiefs desired to hold a council among themselves, that evening, in regard to the trading post and other important matters of interest to them.

#### SECOND DAY'S COUNCIL WITH OGALLALLA CHIEFS.

PORT LARAMIE, October 6, 1870.

The commissioners held a second day's talk with Red Cloud and the principal Ogallalla chiefs this forenoon in the veranda fronting General Flint's residence. Some time after the appointed hour of meeting (10 a. m.) a large assemblage of Indians repaired to the place as on the previous day. The commissioners, with General Flint and Colonel Crittenden, were seated on one side of the circle, while Red Cloud, Man-afraid-of-his-horses, Red Dog and American Horse were seated on the other side.

Mr. Brunot opened the proceedings with prayer, all present standing in respectful adoration.

Mr. Brunot then spoke to the chiefs: "We are glad to meet you all again this morning. We feel good toward you all, and hope you feel the same toward us. We hope everything will be peaceful and happy. There is one thing we will settle first. The Great Father told Red Cloud that he believed the Indians wanted to have peace. The Great Father has a great many soldiers. He does not want to send his soldiers to fight. He wants peace. He told Red Cloud he was glad to have peace, and wanted to do everything he could to make it right with the Indians, so that he could always rely on having peace. Red Cloud has said that the Indians did not want to trade on the Missouri. The Great Father wanted to do what Red Cloud would like; and the friends of the Indians whom he saw in New York and Washington asked him to give Red Cloud a trading place near here. We asked the same thing that Red Cloud did. The Great Father said that we, Mr. Campbell and myself, might come here and tell Red Cloud he might have a trading post near Rawhide Buttes, and we were glad. Now, we have to say to Red Cloud and his people that they can have a trading post there, and we think it ought to be there. The Great Father told us to say that to him, but he will not allow us to say anywhere else. We hope Red Cloud will like it, and all will be right. We want Red Cloud to tell us this, so that when the agents and traders go there he will take care of them and protect them, and not let any bad Indians go near them. If he will do that, we are sure everything will be right and peaceful for their good. The Great Father wants to send good traders and a good agent, and he wants to have a teacher for them there. When they go on their hunts they can leave their old men there; and those whom they don't want to have go with them they can have a good place to stay and something to eat. Red Cloud told the Great Father he wanted ammunition. Some bad Indians in the South wanted ammunition, and they used it to kill white men. We think Red Cloud would not do that. When all goes right here with the Ogallallas, and everything is peaceable, we will ask the Great Father to send them ammunition to get game, and we think after awhile, when all goes right, he will do so. The commissioners have been here a long time waiting. We want to go away with good hearts. We want to go away soon, when all is happiness with the Ogallallas and Minneconjous. We want them to come and see the goods the Great Father has sent them. We think they will like the goods; and we want them to divide them. We bought the goods for the Ogallallas, and we would like them to divide some with the Minneconjous. We will give them to Red Cloud and his chiefs; and they will sign a paper that they have got them. Now, I have said a good deal for the commissioners, and we would like to hear the Indians speak good words also."

Red Cloud then walked out toward the outer circle of Indians grouped around, and pointing with his right hand to the sky, he then touched the ground, thus appealing to the Great Spirit to witness the truth of what he had to say. Returning to his seat, he said: "I have told the Great Father what suited me, and have very little to say now. The Great Spirit raised me in this land, and has raised you in another land. What I have said I mean. I mean to keep this land. I told the Great Father so. I made complaint to the Great Father. He said I could have my traders. The Great Spirit gave me this land, and I have a right to pick the place to put the traders on. This has always been a good post to my fathers, and I want to remain on this side of the Platte. We had our post near Rawhide Buttes once before, and we had an accident



before it was many days old. I told my Great Father I wanted peace. You act afraid of me. What I say I mean. I don't want to say anything bad. I called on the Great Spirit to hear. All around this country depredations were committed. I did not like it, and I went to see my Great Father. You talked about teachers. You are too soon. We want that by and by. You have poor people looking for a dollar or half dollar. I have the same. I want my traders that my people may trade right. I know you will carry my words to the Great Father. Give us our goods, and tell the Great Father to send General Smith to us. He always tells us the truth. When you go back to the Great Father tell him Red Cloud is not willing to go to Rawhide Buttes."

Mr. Campbell then spoke: "If the trading post is placed this side of the river bad men will settle around it. The President wants the post in the Indian country; he wants to avoid any trouble; he will give you traders and an agent if you will have the post near Rawhide Buttes. We know the President will not allow the trading post this side of the Platte. It is for peace we ask you to go across the river."

Red Cloud answered: "This used to be a trading post; the Great Father made it. The Great Father has troops to send to protect our post; he sent troops to the Missouri."

Mr. CAMPBELL. We require Red Cloud to protect the trader. He is to be held responsible. No troops are to go there. We want to know if Red Cloud will protect the traders. If he will be responsible for the safety of these people. If you do not consent to a trading post at Rawhide Buttes, we cannot promise you any traders this year. If you do not consent to this we shall have to go back and tell the Great Father so.

RED CLOUD. I want the right to trade; all treaties have been misunderstood. I asked the Great Father to pay for the railroad that runs through my country. I have not received a cent. Before he makes any payment he wants to put me off in my country. What must I do?

Mr. Campbell said: "We have not come to talk about the railroad. We are here as your friends to talk over these matters we have mentioned. This is an outside question."

Mr. BRUNOT. Since Red Cloud went to Washington, the Great Father expects peace. He has sent you presents, and expects to go on doing so every year. If it were war and bloodshed and Red Cloud and the Great Father did not understand each other, he would not send these presents. He sends them because he wants peace. If he says peace, we can tell the Great Father to send him more. He knows what is best for them.

Mr. CAMPBELL. They must understand there is to be no agency this side of the Platte. They must be impressed with the idea that they can have traders only north of the Platte River.

Red Dog next spoke. He said: "When I went to my Great Father I saw you (Mr. Brunot) there. These others, I did not see there. When I went to Washington, I found out that these, my men, had been misinformed. My friend looks at me. All these here are my soldiers. (Pointing around.) When I work for anything they all help me. My Great Father asked me to keep war parties at home. I've been to all the camps. I have told all my tribes and have kept them at peace. My Great Father did not tell you to make a trading post at Rawhide Buttes. I am afraid you gentlemen made that up. All I want is peace; I will work among my people to keep peace. My friends look at me. There is a bottom upon the river where we want our trading post and interpreters. We have made up our minds and mean to stick to it. When I went to our Great Father he said he had plenty of men. I don't believe he would send men to trouble us; I know that the white chiefs who came here before made promises they did not keep."

Mr. BRUNOT. Well, we have nothing more to say about the trading post. We will tell the Great Father about it. You will have to wait. You can still go to the Missouri, until sometime you will want the trading post in your hunting country. If you wish to go forty or fifty miles above the Rawhide Buttes, and there is any better place there, you can do that.

Red Dog said: "I have not traded for five years, and if I don't trade for five years longer I won't die."

Mr. BRUNOT said: "We will be friends if we don't agree on a trading post. If that makes any difference we want to know it; we don't want war. We don't want the Great Father to use the railroad to send soldiers. We want peace. We would like to have the Indians all pleased."

Here Small Wound broke in. He said: "I have just come from Spotted Tail's camp. There has been two commissioners there. When the Great Father opened the California road, I did not know he was stealing my land. I know it now. The Great Father told us that the country across the river was ours. I was raised on this land. My fathers and grandfathers talked with white men who had sense. You made a treaty in 1868. We knew nothing about it. You treated us blindfold. I want you two gentlemen to talk straight. Who built the first trading post in this country?"

Mr. Campbell said he built the first trading post here.



Then Small Wound stepped up to Mr. Campbell, and shook him by the hand, and said: "If you were the first to put up a trading post here, why do you object to it now?"

MR. CAMPBELL. Because we can't do it without having war. We want to prevent that.

General Flint said: "When Red Cloud came from Washington I had a talk with him. He said he wanted a trading post over the Platte on the hunting grounds. I told General Smith so, and recommended it to the Great Father. They had no place excepting on the Missouri, and that was a great way to travel. He said he wanted it over the Platte, where he would not be troubled, and Red Cloud told me if a white man brought whisky, that he would not bring it a second time. I told him that if any white man went there he would go at the risk of his life. We are their friends, and the only object is to get them away for their good. I had to punish a man a day or two ago, for selling whisky to the Indians, and I released him from the guard-house, at the request of American Horse. We understand each other, and I will do all I can to keep whisky out of the country, but if the post is this side of the Platte, I can not do it successfully."

Man-afraid-of-his-horses said: "There is too much talk about the trading. Give us our presents, and let the matter stand for awhile."

Mr. Brunot said: "We think that the best way; we want to part friends."

Red Cloud said: "My young men have picked out the place for a trading post, but I want peace. The Great Father did not tell me he wanted my trading post at the Rawhide Buttes—I am not mad. Tell the Great Father what I want."

The council was now closed.

General Flint stated that he would turn over the horses that were presented to Red Cloud's party at Pine Bluff last spring, and which having broken away were afterward recovered. The owners, Brave Bear and his son Sword, mounted the animals and rode off delighted at the recovery of their lost horses.

Before separating, Mr. Brunot inquired of Red Cloud: "Are the Cheyennes doing right now?"

RED CLOUD. I don't know; I don't go to their councils. I don't know what they intend to do. I made peace with them once, but it did not amount to anything.

Mr. Brunot said: "We hope they will do right. Did the Cheyennes and Arapahoos kill anybody last spring?"

RED CLOUD. I don't know if they did. It was when I was to see my Great Father; Turkey Legs' band killed a Mexican near Fetterman.

There was no further talk, and the Indians repaired to their camp on the Platte.

#### TALK WITH THE CHEYENNE CHIEFS.

FORT LARAMIE, October 7, 1870.

The Cheyenne chiefs who had been promised an interview, after Red Cloud's arrival, came in this morning and had a talk with the commissioners in the porch of General Flint's house. The principal chiefs present were, Medicine Man, head chief of the Northern Cheyennes; Dull Knife, Little Crow, Gray Head, White Clay, Spotted Wolf, and Old Medicine Arrows, a chief of the Southern Cheyennes, whose reservation is on the Arkansas.

As there was no one present who could interpret from Cheyenne directly into English, or *vice versa*, the communication of ideas had first to be translated in the Sioux tongue, which was imperfectly done by a deaf Indian and a Cheyenne boy. Mr. Pallardy, at some disadvantage, interpreted into English; the interpretation was merely by signs. A prayer was offered by Mr. Brunot.

Medicine Arrow, in reply to a question from Mr. Brunot, where his people are, said, all he had were here.

Mr. Brunot then told the chiefs that the commissioners had not expected to see them here, but were glad, however, to meet them. He said that the President had heard that the Cheyennes of the North and the Arapahoos have done badly, for this reason no goods had been sent to them. The President sends goods to the Sioux because they have been keeping the peace and doing right. If the Cheyennes will do right, keep the peace and commit no depredations, the commissioners will ask the Great Father to send them goods to their reservation. Little Raven with some of the Arapahoos and Southern Cheyennes are on the Canadian, and where they get their goods and plenty to eat. We would like to hear what the Northern Cheyennes wish us to tell the President, and what reservation they are willing to stay on, so that their goods can always be sent to them.

Medicine Arrow asked the commissioners why they came here, and Mr. Brunot replied: "To see the Sioux and any other friendly Indians also." Mr. Campbell added: "Tell them we came here on the part of the President to see who are friendly and report to the President."

Mr. Brunot further said, that last summer he went to see Medicine Arrow in the south, and Medicine Arrow said the reservation, according to the treaty, was not good,



and that he wanted to stay on the Canadian. He said he had not received coffee and sugar, and wanted some. We told him we would tell the Great Father of his wants; we did so, and coffee and sugar were sent, and they were allowed to live on the Canadian River.

Medicine Arrow said, that after the commissioners went away last summer, he left the reservation, and did not know what was sent him.

Mr. Brunot answered, that, he, Medicine Arrow, was told to stay on the Canadian. The supplies that he asked were sent to him there.

Medicine Man undertook to speak. He said he was raised in this country, and well brought up; his father taught him well, and he always did what was right; he came here to talk and his words would be sharp; he was the Medicine Man, and that was the reason he came here to talk.

From the imperfect interpretation, Medicine Man did not proceed further, and was followed by Dull Knife, who said: "We were told that there would be only two places in our country for the whites to trade on, the road on the Platte and the road on the Sandy Hill. The whites get along well enough on these two roads, and we want them to stay there. Has the Great Father sent you to listen to what is good? We mean only what is good. We would like to have some traders in the upper countries. We want for our traders, Laganruse, John Richards, Bullock, Jules Coffy, and Pallarday, the interpreter, (pointing to himself,) as designated by Dull Knife."

Mr. Brunot said: "We come to talk about peace, and tell the Great Father what you will do, so that he can treat you as well as he has the Sioux. We talked with Red Cloud about the traders. Cheyennes can trade where Red Cloud trades, or they can go with Medicine Arrow on his reservation, just as they please. About the road, the Great Father is going to keep that road, (Fort Fetterman road,) north of Platte, for poor people who cannot pay to go on the railroads. We don't want to talk about little things."

Dull Knife said he did not want to be altogether with the Sioux, at the same trading post, as they will not agree. He wanted his own traders, guns, powder, and lead, as he had none.

Mr. Brunot said that he wanted to know from Dull Knife and Medicine Man how they felt in their hearts; if they were willing to keep the peace and commit no further depredations against the whites, so as they could tell the Great Father when they return that there would be no further trouble with the Cheyennes; he said no goods were brought for them, but a few presents would be made to show that all is right.

Medicine Arrow asked "why it is you want me to stay on the reservation? I can't live there. I was raised to roam over the prairie and hunt buffalo. I can't live in the white man's house. These lands belong to me; I want to go where I please. The white man that came to make treaties told untruths."

Mr. Brunot said Medicine Arrow told him last summer that he wanted to live on the Canadian; he told the Great Father this, and he said Medicine Arrow could live on the Canadian.

Medicine Arrow replied that the country belonged to the Comanches and Apaches, and that he did not want to stay there. Some more was said that could not be interpreted so as to be properly understood, and owing to this difficulty the council was closed. Before separation, two Cheyenne women exhibited silver medals; one bore the effigy of Thomas Jefferson, and dated 1801, with the legend, "Peace and Friendship;" another had the likeness of Millard Fillmore; and a third, that of James Monroe, dated 1817; the latter was shown by a daughter of High Back Wolf, and a noted chief. The women were promised gifts, as is expected on such occasions.

#### DELIVERY OF THE SIOUX ANNUITY GOODS.

In the afternoon of Friday, October 7, the commissioners, accompanied by General Flint, commandant of the post; Captain Luhn, quartermaster; Colonel Bullock and officials of the Territory, citizens and ladies, repaired to Red Cloud's camp on the Platte River, some three miles from the post, to be present at the delivery of the annuity goods. There arrived at the same time a wagon train, and Red Cloud pointed out the spot where he wished the goods unloaded.

The chiefs of the different bands, Red Cloud, Man-afraid-of-his-horses, Red Dog, and American Horse, were present to receive the goods.

The whole village, numbering, according to the statement of John Richards, the interpreter, about 5,000 souls, were out to see the goods opened. Men, women, and children congregated in a great circle about the spot where the boxes and bales were tumbled out from the wagons, manifesting all the anxiety of children, anxious to see what the Great Father had sent them. The commissioners now made a thorough examination of the goods to see whether they corresponded with the invoices and the amount shipped from New York. Mr. Campbell had samples torn from the domestics, calicoes, and woolen goods for the purpose of comparison with what was originally purchased. Red Cloud seemed pleased with the scrutiny exercised by the commis-



sioners, and had an appreciation that it was in the interest of the Indians, and to guard against their being cheated. Some of the chiefs objected to tinned kettles for cookery; they preferred large iron kettles as used by the military. They also preferred black colors for blankets instead of white, and objected to the coats, preferring the raw material to work up suitable to their roving habits of life.

They say something more useful to them than the hats should be substituted. By the desire of the commissioners a note was made of the objections and preferences indicated as to the kind of goods delivered to them. Before leaving, John Richards, Mr. Bullock, Pallarday, and McCluskey, at the request of the Indians, received the original invoices from Mr. Brunot in order to divide them in four piles, the commissioners having agreed that they should perform this duty in accordance with a request made by Red Cloud.

The following is a copy of receipt signed by the Ogallalla chiefs:

FORT LARAMIE, W. T., October 7, 1870.

The undersigned, chiefs of the Ogallalla Sioux, have this day received from the Commissioner of Indian Affairs by the hands of Felix R. Brunot and Robert Campbell, United States special Indian commissioners, the following invoices of goods, viz:

300 pairs 3-point white In. blankets, 8 pounds.  
 300 pairs 2½-point scarlet blankets, 6 pounds.  
 300 pairs 3-point indigo blankets, 8 pounds.  
 18 wrappers.  
 Bailing and ropes.  
 12 pieces saved-list blue cloth, 383 yards.  
 5 cases hats, 500.  
 3 cases flannel shirts, 660.  
 1 case scarlet flannel cloth, 474 yards.  
 12 bales Appletons' domestics, 1,000 yards each, 12,000 yards.  
 9 bales blue twilled flannel, 364 yards, 5,026 yards.  
 8 bales red twilled flannel, 4,993 yards.  
 Prints, 1,000 37 yards.  
 40 dozen ebony-handled butcher knives.  
 1 case.  
 6 dozen axes,  
 300 tinned iron kettles.  
 40 dozen butcher knives.  
 33½ boxes, 1,000½ pounds, Bright's light Prussia plug tobacco.  
 33 boxes.

RED CLOUD, his + mark.

RED DOG, his + mark.

LONG WOLF, his + mark.

MAN-AFRAID-OF-HIS-HORSES, his + mark.

AMERICAN HORSE, his + mark.

YELLOW BEAR, his + mark.

Witnesses:

G. L. LUHN,

*Lieutenant, Regimental Quartermaster Fourth Infantry, A. A. Q. M.*

F. F. FLINT,

*Colonel Fourth Infantry, Commanding Post.*

W. G. BULLOCK.

#### FINAL INTERVIEW WITH RED CLOUD.

FORT LARAMIE, Saturday Morning, October 8, 1870.

John Richards, the half-breed interpreter, went out with our ambulance early this morning to bring in Red Cloud and the principal Ogallalla chiefs, but returned without them, they promising to come in by 10 o'clock a. m. He reported that the goods had been equitably divided up among the different bands, though there was some dissatisfaction about the division of the presents among the Minneconjous and Brulés. An altercation occurred in which Red Dog's horse was shot, as was supposed by a Brulé, but order was soon restored.

Before the commissioners left, Red Cloud, Man-afraid-of-his-horses, Red Dog, and American Horse, came in and had a final interview with them.

Red Cloud said he was pleased with the goods delivered the day before. He said he would like to receive his goods hereafter on this side of the river, rather than the other side. His Great Father, he said, had said nothing to him when he was in Washington, about going on the Rawhide, which he had done, he would have had time to think over the matter. He might, he said, conclude to go there this winter. He then spoke



kindly of General Smith, (John E.) who accompanied him to Washington, and wanted him here. He wanted Ben Mills as his agent, and asked that his name be put down on a piece of paper and sent to his Great Father at Washington. For traders he named Bullock, Coffey, Richards, and Brown. He desired that pity be taken on his old traders left here by the treaty. If other traders came here across the river, he said he would not kill them, but take all they had and send them back. This thing about the agency had not yet been settled by his people, but he wanted those in charge of this post to have pity on the Indians when they came on a visit, and give them rations. He said that Bullock and General Flint had assisted his nation in representing to the President their condition. Could not his people come here for their rations?

Mr. Burnot answered, that the commissioners wished to do all they could for the Indians. He did not wish to have them deceived. The sooner they made up their minds to have their trading post across the river in their reservation, the sooner they could have their traders among them.

One of the chiefs here asked permission to hunt on the Republican, but the request was finally refused, as it would tend to bring on conflicts between the whites and Indians.

Red Cloud asked why he could get no more rations at Fort Laramie, and was told that before they came to the council they drew no rations. What they received now was by authority given by the commissioners and the commandant of the post, for the meeting, and after this they would receive no more rations here. The place for getting their rations will be on the Missouri.

Red Cloud answered, "What can I do? I have no ammunition to kill buffalo."

The commissioners then promised to tell the Great Father what Red Cloud said, and advised him to have his trading post up there near the Rawhide, which would be a more convenient place for them to get their rations than on the Missouri.

Mr. Campbell, in a parting word, told Red Cloud that the commissioners were glad of the good words he had spoken, and of the influence he exerted among his people. He could not tell who would be named as traders and agent, but whoever is selected will be good men. He asked that Red Cloud should try them, and he will find them all right. Since the Indians have been here, they have got many things from Colonel Bullock. We pay Colonel Bullock for all this. They are presents from the Government. The Indians must not expect Colonel Bullock to give them anything after this time. He said further that the commissioners had sent word to the Great Father, telling him that all the Indians here are peaceable, and that they desire a permanent peace. He did not want the Great Father to be deceived in what they told him. We depend upon Red Cloud to do all that is right. If any other Indians do bad things, it is Red Cloud's duty to tell the commanding officer about them, and if any white man does wrong on the Indian's land, he should also let the commanding officer of his post know about it. In this way peace can be kept. They must not come here for rations after this time. He hoped they would continue to hear good reports from him and his people, so that they could tell the Great Father they were doing what was right.

The commissioners then shook hands with the chiefs and party and bid them good-bye. The commissioners have been informed that three of the four bands have decided to ask for an agency on the Rawhide Buttes, and expected they would all reach the same conclusion and announce it before their departure.

The following is the copy of telegram sent to Secretary Cox :

"FORT LARAMIE, October 8, 1870.

"Hon. J. D. Cox,

"Secretary of the Interior, Washington.

"Red Cloud, Man-afraid-of-his-horses, Ogallallas, Roman Nose, of the Minneconjous, and Medicine-man, of Northern Cheyennes, with about 7,000 Indians, are here. We have had three days' talk with them. They insisted upon a trading post on the Platte, but will agree to have it located on Rawhide Buttes. No depredations have been committed by these Indians for five months, and we are satisfied that they all desire permanent peace, and the influence of Red Cloud and all the chiefs will be effectually used to maintain it. The goods sent for them were distributed yesterday, and they are greatly pleased with both the quality and quantity. We leave for Cheyenne this morning.

"FELIX R. BRUNOT,  
"ROBERT CAMPBELL,  
Commissioners."

CHIEFS PRESENT.

Among the chiefs and headmen of the Ogallallas who signed the treaty 1868, the following were present at the councils: Ta-shun-ka-sa-qui-pah, or "Man-afraid-of-his-horses;" Sha-ton-sapah, or "Black hawk;" E-ga-man-ton-ka-sapha, or "Black tiger;" Oh-wash-she-cha, or "Bad hound;" Pah-ge, or "Grass;" Wah-men-reh-che-geh, or "Ghost heart;" Can-reh, or "Crow;" Oh-he-to-kah, or "The Brave;" Tah-ton-kah-



he-yo-ta-kah, or "Sitting bull;" Show-ka-oh-wa-mon-je, or "Whirlwind dog;" Hah-hah-kah-toh-meich, or "Poor elk;" Wom-bu-lee-wah-kon, or "Medicine eagle;" Chow-gah-ma-he-to-hans-ka, or "High wolf;" Wa-se-chum-ta-shum-kah, or "American horse;" Mah-hah-mah-ha-mak-near, or "Man-that-walks-under-the-ground;" Tah-ton-kah-pah-meich, or "The poor bull;" Aah-hoh-ke-ga-ah-kah, or "One-that-has-the-lance;" Shon-gah-manni-toh-tan-ka-seh, or "Big wolf-foot;" Con-kee-teh-ka, or "The little crow;" Sho-kee tah, or "The blue horse;" Moh-to-ha-she-na, or "The bear hide;" of the Brulé band, Nah-pat-shak, or "Red leaf;" of the Minneconjous band, Oh-pou-ah-tah-e-manne, or "The-elk-that-bellows-walking;" Hoh-ho-lah-reh-cha-skah, or "Young white bull."

## DEPARTURE FOR HOME.

On Saturday, October 8, the commissioners having completed their business, took leave of General Flint and family, from whom they had received the most hospitable attentions, as well as from other officials and citizens at the post, and about 10 o'clock a. m. took their departure for Cheyenne. The military escort under Colonel Crittenden preceded them several hours. The escort was overtaken at the Chugwater about sundown, when they camped for the night, having met General Auger, who was making a tour through this portion of his military department—Laramie and Fetterman. The commissioners rode some ten miles further, when they passed the Sabbath at the rancho of Mr. Phillips, near the mail station.

The next day, October 10, they reached Cheyenne. The blankets and other necessities purchased for the outfit across the plains to Fort Laramie were sold and the proceeds applied on expense account.

The next day, October 11, the commissioners reached Cheyenne, and took the train for Denver, and thence on the Kansas Pacific Railway for St. Louis, where they arrived on Friday morning, October 14.

Mr. Brunot left St. Louis the same evening for Pittsburg.

WILLIAM FAYEL, *Clerk.*

## APPENDIX 3.

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., July 22, 1870.*

SIR: I transmit herewith a copy of a report of the Commissioner of Indian Affairs, dated the 19th instant, recommending that the Indian commission visit the Great and Little Osage Indians, with a view to an arrangement with them for their removal from Kansas to the Indian Territory, and request that the Indian Bureau may be informed by the Indian commission at what time it will be practicable to visit said Indians, to carry into effect the recommendation of the Commissioner.

Very respectfully, your obedient servant,

J. D. COX, *Secretary.*

VINCENT COLYER, Esq.,

*Secretary Board of Indian Commissioners, Washington, D. C.*

## APPENDIX 4.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., July 19, 1870.*

SIR: The act of Congress making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations, and for other purposes, approved July 15, 1870, enacts, among other things, that whenever the Great and Little Osages shall agree thereto, in such manner as the President shall prescribe, it shall be the duty of the President to remove these Indians from the State of Kansas to lands to be provided for them as a permanent home in the Indian Territory. In this connection, I respectfully refer to the letter of this office to you, dated the 20th ultimo, calling attention to a request of the governor of the Osage Nation, that commissioners be appointed and sent to the nation on or about the 20th of August next, to make an agreement with his people in the matter, and I recommend that steps be taken as soon as practicable, to carry into effect the provision of the law referred to. The necessary arrangements, I submit, could be effected by the agency of some of the members of the President's special commission. If this suggestion meets with your approval, I respectfully request that the board of commissioners be early instructed upon the subject.

Very respectfully, your obedient servant,

E. S. PARKER,  
*Commissioner.*

Hon. J. D. COX,  
*Secretary of the Interior.*



## APPENDIX 5.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., August 2, 1870.

GENTLEMEN: Your board having arranged to be present at the council to be held with the Osages, in the Cherokee country, with a view to establishing this tribe upon a new reservation there, to be purchased from the Cherokees, the Secretary of the Interior directs me to say to you, that it is desired that the price to be given for the land shall not exceed 50 cents per acre, and that, in making the arrangement with the Cherokees, your endeavor will be to subserve the interests of the Government as well as those of the Indians, and to effect, if possible, the purchase at even a less price. The matter is left to your discretion and sound judgment, however, and it is expected that the object will be accomplished to the satisfaction of all parties interested.

Very respectfully, your obedient servant,

WM. F. CADY, *Acting Commissioner.*

HON. JNO. V. FARWELL, JNO. D. LANG, V. COLYER,  
*United States Commissioners.*

## APPENDIX 6.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., July 22, 1870.

SIR: You will instruct Agent Gibson to return at once to his agency, and as soon thereafter as practicable proceed to the Cherokee country, and there select and mark out the country to which it is intended to remove the Osages, and to make such preparations as may be requisite for the establishment of these Indians comfortably in their new homes. He will use his best endeavors to obtain the acquiescence of the Osages to this measure, and assure them the Government will do all in its power to further their interests and promote their welfare; that it will cause steps to be taken at an early day for the sale of their reservation in Kansas, commencing with the eastern part, and will sell the same for their benefit at \$1 25 per acre. He will inform them that some of the members of the President's board of commissioners will meet them in council some time in August next, to consider these matters, but the place of the meeting of such council must be in the country to which they are to remove and not upon their reservation in Kansas; and further, that the Government will make them presents at that council.

Very respectfully, your obedient servant,

W. F. CADY, *Acting Commissioner.*

ENOCH HOAG,  
*Superintendent Indian Affairs, Lawrence, Kansas.*

## APPENDIX 7.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., August 11, 1870.

GENTLEMEN: I have the honor to inclose herewith, for your information, a copy of a letter addressed by this office to Superintendent Hoag, under date the 22d ultimo, directing him to instruct Agent Gibson to select and mark out a tract of country in the Indian Territory for the Osage Indians.

Whether the council referred to be held in the Cherokee country or in the old Osage country, the Cherokees are expected to be present, as they have been invited to be, for the purpose of arranging their own terms, as provided in the treaty of 1866; but if they cannot agree, then the other course provided in said treaty will be followed. The commission will use its influence with the Cherokees to let the Osages have the land at a rate not exceeding that mentioned in Acting Commissioner Cady's letter.

The commission are expected, in their intercourse with the Indians, to follow out the line of views indicated in Department letter to Superintendent Hoag.

The act of Congress should be fully explained, and the Indians made to comprehend it if possible, and their action must be voluntary and unbiased.

The agent will be instructed to provide subsistence for the Indians while attending the council, and goods for presents to the Indians will be sent to him at Baxter Springs.

Very respectfully, your obedient servant,

E. S. PARKER,  
*Commissioner.*

HON. VINCENT COLYER, JOHN D. LANG,  
*Indian Peace Commissioners.*



## APPENDIX 8.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., August 11, 1870.

SIR: Referring to office letter of the 22d ultimo, and to avoid complications or misunderstandings with the commissioners therein referred to, an explanation seems necessary.

It was not the intention of the Department to leave no alternative for the Indians as to where the council should be held, but simply to express the opinion and belief of the Department that the Indians themselves would desire to meet in the country they wish for their new homes, so that the commission might see and report upon its natural advantages. Full verbal instructions were given by the Hon. Secretary of the Interior to Agent Gibson before his leaving the city, in relation to the management of this vexed question, and it is expected that he will follow them as far as circumstances will warrant. The agent, of course, will be subordinate to the commissioners who go out on this mission, but he will give them all the aid possible to carry out the objects of the mission.

Before the act of Congress, which the commissioners take out to submit to the Indians, can in any respect become operative, their assent must be obtained. This point is of vital consequence to them, and they must understand it before their final determination is made. To what extent the commissioners and their co-laborers will feel warranted in persuading the Indians to give the required assent, must be determined by the state of things they may find surrounding them.

It is earnestly desired by the Department that a hearty and full coöperation will be given by the superintendent and agent to the commission in this work.

The letter first above referred to must be construed in such a manner by Agent Gibson as to conform to the verbal instructions received by him from the Hon. Secretary of the Interior. Please communicate this to Agent Gibson.

Very respectfully, your obedient servant,

E. S. PARKER,  
Commissioner.

E. HOAG,  
Superintendent Indian Affairs, Lawrence, Kansas.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
August 12, 1870.

The foregoing is a correct copy from the records of this office, and furnished for the information of Hon. Vincent Colyer, of special Indian commission.

WM. F. CADY,  
Acting Commissioner.

## APPENDIX 9.

HEADQUARTERS ARMY OF THE UNITED STATES,  
Washington, D. C., August 6, 1870.

GENERAL: The Secretary of the Interior has given notice that the matter of difficulty between the Osages and the white settlers on their reservation will probably be settled without difficulty, but that it is reported other squatters manifest a purpose to go on south of the Kansas border and take up claims within the Indian Territory next adjoining. He says the boundary line is well known.

The matter was up before the cabinet yesterday, and it was concluded that any trespass or intrusion must be promptly and forcibly met. You had better send a cavalry force down on the line and give notice that you have positive orders to "protect the Indian Territory from unauthorized settlers and squatters," and require the officer in command promptly to remove any such as he may find across the south boundary of Kansas, within the limits of what is known as the Indian Territory.

I have the honor to be your obedient servant,

W. T. SHERMAN,  
General.

General JOHN POPE,  
Commanding Department of Missouri, Fort Leavenworth, Kansas.



## APPENDIX 10.

HEADQUARTERS POST SOUTHEASTERN KANSAS,  
*Montgomery County, Kansas, August 26, 1870.*

The Government has determined to remove all settlers and invaders in the Indian Territory, and to execute the treaty with the Cherokees of 1866. By article 27, "all persons not in the military service of the United States, nor citizens of the Cherokee Nation, are prohibited from coming into the same, or remaining on the same."

All such settlers are hereby summoned to quit the limits of the Indian Territory in the shortest possible time, and all immigrants are forbidden to enter the same on penalty of removal by force.

By order :

J. S. POLAND,  
*Captain Sixth Infantry, Commanding Post.*

## APPENDIX 11.

COLUMBUS, KANSAS, *August 29, 1870.*

Hon. J. D. COX, *Secretary of the Interior, Washington, D. C. :*

The Osages come to council reluctantly. Their headmen say they will not consent to removal until squatters are cleared off new reservation in Indian Territory.

The officer in command of troops here, by direction of General Pope, says he cannot execute General Sherman's order until he has request from Cherokee Indian agent. This obstructs the business. If General Sherman's order could be promptly executed, it would help us much. Can it be done?

VINCENT COLYER.

[Telegram.]

WESTERN UNION TELEGRAPH COMPANY, *August 29.*

Hon. E. S. PARKER :

The Osage presents have not yet arrived at either Baxter Spring or Oswego. Where did you send them? Reply by telegraph.

VINCENT COLYER.

## APPENDIX 12.

INDEPENDENCE, *August 31, 1870.*

DEAR SIR : I had a meeting with the people of this region in reference to that difficulty about the improvement claims. They seem sincerely anxious to settle and pay for the improvements made by settlers, and I trust you can get the Indians to agree to it, and have an early appraisal of those improvements.

Good safe men, and intelligent Indians, with the umirage of one of your number, surely will most speedily reach an amicable settlement.

Hoping that all will be fully and satisfactorily arranged,

I remain yours, truly,

JOS. KEMP.

VINCENT COLYER, Esq.

I hope to see you on Friday.

## APPENDIX 13.

*A proposition of the claimants to the claims now held by half-breeds on the Verdegris River, north of Independence, Montgomery County, Kansas.*

We, the undersigned, propose and agree that the half-breeds shall have the cash value of all improvements which they, the half-breeds, have made upon said claims. The value of said improvements to be established and fixed by a commission of six disinterested persons, composed of three white men and three Indians, or half-breeds. The said claimants agreeing further, that they will abandon all claim or right to the



said half-breed claims, in case of a non-acceptance on the part of said claimant to the terms or valuation of improvements, as fixed or established by said commission of six. The said half-breeds also agreeing that they will recognize the rights of said claimants in preference to all others, if they, the said claimants, will comply with the terms fixed and adjusted by said commission of six.

In case that the said commission of six shall fail to agree upon the value of the improvements, Commissioner Lang shall act as umpire.

The money or security to be paid, or delivered, upon the part of said claimants, into the custody of the Indian agent, within three days after the valuation of improvements by said commission of six, to be paid or delivered over to the half-breeds as soon as the treaty of the United States Government with the Osage Indians shall be ratified, and in case said treaty shall not be ratified to be delivered or paid back to said claimants.

U. H. WATKINS.  
FRED. BUNKER.  
C. W. PRENTISS.  
W. D. JOLLY.  
S. C. CARROLL.  
PAYTON YORK.  
JAMES L. SCOTT.  
HALEY MCCORMICK.  
S. B. LAURENCE.  
THOMAS MAMSOM.

#### APPENDIX 14.

The undersigned, chiefs, councilors, braves, headmen, and others, members of the Nation of Great and Little Osage Indians, in general council assembled this 10th day of September, 1870, having heard read the twelfth and thirteenth sections of the act of Congress making appropriation for the current and contingent expenses of the Indian Department for the year 1871, approved July 15, 1870, and the same having been explained to us, and being fully understood by us, we do hereby assent and agree to the said act, and accept the same as the law, binding upon us, our children and heirs, as well as upon the Government and people of the United States.

The act being in words as follows:

"SEC. 12. *And be it further enacted*, That whenever the Great and Little Osage Indians shall agree thereto, in such manner as the President shall prescribe, it shall be the duty of the President to remove said Indians from the State of Kansas to lands provided or to be provided for them for a permanent home in the Indian Territory, to consist of a tract of land in compact form, equal in quantity to one hundred and sixty acres for each member of said tribe, or such part thereof as said Indians may desire, to be paid for out of the proceeds of the sales of their lands in the State of Kansas, the price per acre for such lands to be procured in the Indian Territory not to exceed the price paid or to be paid by the United States for the same. And to defray the expenses of said removal, and to aid in the subsistence of the said Indians during the first year, there is hereby appropriated out of the Treasury, out of any money not otherwise appropriated, to be expended under the direction of the Secretary of the Interior, the sum of fifty thousand dollars, to be reimbursed to the United States from the proceeds of the sale of the lands of the said Indians in Kansas, including the trust lands north of their present diminished reservation, which lands shall be open to settlement after survey, excepting the sixteen and thirty-sixth sections, which shall be reserved to the State of Kansas for school purposes, and shall be sold to actual settlers only, said settlers being heads of families, or over twenty-one years of age, in quantities not exceeding one hundred and sixty acres, in square form, to each settler, at the price of one dollar and twenty-five cents per acre; payment to be made in cash within one year from date of settlement or of the passage of this act; and the United States, in consideration of the relinquishment by said Indians of their lands in Kansas, shall pay annually interest on the amount of money received as proceeds of sale of said lands, at the rate of five per centum, to be expended by the President for the benefit of said Indians, in such manner as he may deem proper. And for this purpose an accurate account shall be kept by the Secretary of the Interior of the money received as proceeds of sale, and the aggregate amount received prior to the first day of November of each year shall be the amount upon which the payment of interest shall be based. The proceeds of sale of said land shall be carried to the credit of said Indians on the books of the Treasury, and shall bear interest at the rate of five per cent. per annum: *Provided*, That the diminished reserve of said Indians



in Kansas shall be surveyed under the direction of the Secretary of the Interior as other public lands are surveyed, as soon as the consent of said Indians is obtained as above provided, the expense of said survey to be paid from the proceeds of sale of said land.

"SEC. 13. *And be it further enacted*, That there be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated, as compensation to Osages for the stock and farming utensils which the United States agreed to furnish them by the second article of the treaty of January eleven, eighteen hundred and thirty-nine, and which were only in part furnished, twenty thousand dollars; and as compensation for the saw and grist mills which the United States agreed by said treaty to maintain for them fifteen years, and which were only maintained five years, ten thousand dollars; which sums shall be expended, under the direction of the Secretary of the Interior, in the following manner: twelve thousand dollars in erecting agency buildings, a warehouse, and blacksmith's dwellings, and a blacksmith shop, and the remaining eighteen thousand dollars in the erection of a school-house and church, and a saw and grist mill, at their new home in the Indian Territory."

Approved July 15, 1870.

Joseph Paw-ne-no-Pa-she, governor.  
Yo-waw-go-he, his + mark.  
Show-ka-mow-no, his + mark.  
Now-thee-wah-hee, his + mark.  
Now-thee-wah-hah, his + mark.  
Tall chief, his + mark.  
Washi-wa-ha, his + mark.  
Ke-ne-a-ne-ka, his + mark.  
Black-Bird, his + mark.  
Che-sho-wah-tah-ne-kah, his + mark.  
No-pa-wah-la, his + mark.  
Youngstrike Axe, his + mark.  
Wah-lilu-ha-ka, his + mark.  
Che-to-pah, his + mark.  
Wah-shah-pa-wah-tah-ne-kah, his + mark.  
Hah-chah-tah, his + mark.  
Che-a-tah-sah, his + mark.  
Ne-ka-wah-shin-too-kah, his + mark.  
Wah-how-how, his + mark.  
Kaw-sa-as-call, his + mark.  
Hu-lah-how-kah, 2d brave.  
Ne-ko-e-conca, 2d warrior.  
Wah-shin-pe-she, marshal, his + mark.  
He-spo-h-call, 1st brave, his + mark.  
Wah-con-lah-woh-chie-lay, his + mark.  
Black Dog, his + mark.  
Wah-tau-ke, his + mark.  
Alshe-cah-gle, his + mark.  
Ne-cah-ah-ke-pah-nah, his + mark.  
Hu-la-tse, his + mark.  
Wah-tsa-shiw-kah, his + mark.  
He-ast-te, his + mark.  
Alex. Beyett.  
Frank Michael, (Mexhell,) his + mark.  
A. Capitaine.  
Wan Tinker, his + mark.

Louis P. Chouteau.  
Peter Pindhounne, his + mark.  
Samuel Bienvenu, his + mark.  
Robert Lombard, his + mark.  
Clermont, his + mark.  
Lewis Edward Revard, his + mark.  
Tally-tuh-e-want-ka, his + mark.  
Che-she-wah-ton-kah, chief, his + mark.  
Hard Rope, chief councilor, his + mark.  
Cah-he-cah-woh-tah-in-cah, second chief, his + mark.  
Twelve O'clock, chief councilor of the nation, his + mark.  
Cah-hom-no-ne, little chief, his + mark.  
Pah-coh-wy-ton-cah, little chief, his + mark.  
Ke-ni-in-cah, brave, his + mark.  
He-wah-hin-cah, his + mark.  
Wah-cur-eo-wah, brave, his + mark.  
O-Pau-ton-kar, brave, his + mark.  
War-no-par-she, his + mark.  
War-he-gran-ne, brave, his + mark.  
Che-sho-war-dar-ne-gar, his + mark.  
George Beaver, chief, his + mark.  
Mad Chief, second chief, his + mark.  
Tall Chief, little chief, his + mark.  
Wolf, little chief, his + mark.  
Pah-she-o-lah-hah, little chief, his + mark.  
Wooster, big heart, little chief, his + mark.  
Shin-cah-woh-sah, councilor, his + mark.  
Hes-cah-mon-nei, brave, his + mark.  
Mon-shah-ke-tah, brave, his + mark.  
Me-coh-woh-tah-ni-cah, brave, his + mark.  
Mon-shah-e-poh-huh, brave, his + mark.  
No-poh-wo, brave, his + mark.

ISAAC T. GIBSON,  
*United States Indian Agent.*

Witnesses:

ALEXANDER BEYETT, *Interpreter.*

VINCENT COLYER,

*Secretary Board of Indian Commissioners.*

#### APPENDIX 15.

*Report of the Grand Council.*

SATURDAY, September 10, 1870—2:45 p. m.

The council met under a large elm, on the bank of Drum Creek, in order to escape the scorching rays of the sun which shone out in all its glory. Here, in the shady grove,



the Osages met to determine whether they would accept or reject the treaty passed on the 15th of July last. The vast assembly of white settlers who had gone to witness the results of the day followed Friend Isaac T. Gibson, the agent, until he stopped under the said large elm. Wa-sha-pe-sha, the chief marshal of the Osage Nation, marched in with his chiefs, braves, and headmen, who were soon seated in a semicircle around the commissioners, superintendent, and agent. When all were quiet, Mr. Colyer opened the council with prayer.

Friend Hoag then said: The governor has asked me a few questions, which I shall try and reply to this afternoon:

"First. Will we be protected in our homes in the south, if this treaty becomes a law?"

In the treaty of July, 1866, are these words: "All persons not in the military service of the United States, or citizens of the Cherokee Nation, are to be prohibited from coming into the Cherokee Nation, or remaining in the same, except as herein otherwise provided; and it is the duty of the United States Indian agent for the Cherokees to have such persons, not lawfully residing or sojourning therein, removed from the nation." It is well known that many citizens have gone down into the nation to make homes there; and we have refused to ask you to remove to another home until we were assured by your Great Father that you would be protected in the same; and I may present you words direct from the government:

"WASHINGTON, D. C., September 2, 1870.

"E. HOAG, Superintendent of Indian Affairs:

"Troops are in southeast Kansas, to act under direction of Agent Craig in removing trespassers from Cherokee reservation.

"WILLIAM F. CADY, Acting Commissioner."

I can only say, as far as I am concerned, that the Government will protect you in the same; I have the will, and as far as I have the power, I will have every white settler removed from your new home, in accordance with the treaty and order of the Government.

"Second. Will our money be paid to us annually, or as we want it?"

But, before I proceed, are you satisfied with the answer to the first question?

INDIANS. Yes.

You now receive the interest of \$300,000, which is \$15,000. This is paid to you annually, under the direction of the Secretary of the Interior. On your new home you will have your councils, where you will advise as to the division of your funds; when you remove to your new home you will have your councils; you may decide, under the advice of your agent, that you need a part of your money for educational purposes, some for agricultural, some for the support of blacksmiths, or for any other beneficial purpose, and the balance in cash *per capita*. I can say, your Great Father always tries to comply with your desires, and probably will continue to do so, unless you ask for something he deems injudicious, and he will have some good friends to advise with you. Are you satisfied with the answer?

INDIANS. Yes.

"Third. Will we have our own regulations at our new home?"

I answer, yes. Provision is made in the treaties of the nations in the Indian Territory and the Government of the United States, in 1868, that all tribes in said Territory meet annually, by delegates in council, for better arrangement in the security of international, educational, and beneficial interests; and you will have the privilege, which you never had before, to have herein the benefit of the knowledge and experience of all the tribes.

"Fourth. A certain amount of money is provided for our removal to our new home. Can we have that money now?"

I can say, yes. You can have one-fourth of it; or if, after conferring with your agent, he considers it necessary, the one-half of the amount. But you cannot have it now, as it is in Washington; but you can have it as soon as it can be procured for you, perhaps in one month. I have now your annuities, and shall pay you off before you separate. We also have presents to give you before you separate. Your presents will amount to more than your annuities, and will consist of food and clothing; you will be furnished with blankets, calico, sugar, tea, coffee, &c., so that you need not buy anything before you get your money. Then you can tell better what to buy.

ALEXANDER BEYETT, interpreter. They are afraid that the bill they are to sign and the one that is printed are not the same.

COLYER. We have taken the same copy the governor had in his house, and have passed it in this. He knows that this was printed in a book, with a great many others not pertaining to the Osages.

We have taken this by itself, so that they will sign nothing else. We have said so in writing, and after I have read it, I will give it to the interpreter, and he and you all will see it is the same.



This is for them to sign, so that we say:

"The undersigned, chiefs, counselors, braves, headmen, and others, members of the nation of Great and Little Osage Indians, in general council assembled, this 10th day of September, 1870, having heard read the twelfth and thirteenth sections of the act of Congress making appropriation for the current and contingent expenses of the Indian Department for the year 1871, approved July 15, 1870; and the same having been explained to us, and being fully understood by us, we do hereby assent and agree to the said act, and accept the same as a law, binding upon us, our children and heirs, as well as upon the Government and people of the United States."

It is the twelfth and thirteenth sections of a treaty, passed by Congress, July 15, 1870. (See Appendix 13.)

So you will see that it is just the same, and is to be signed by all—every one whose name is on the pay-roll. We know it would be enough for the big chiefs, but we want all.

JOSEPH PAW-NE-NO-PA-SHE, governor. Commissioners, superintendent, and our agent: I have a few words to say to you this evening. The Great Spirit made our forefathers over on the other side of the great water. Had He made us all here, we would have been all of one color; but we are not. Since then our people, the Osages, have made up with the white man and have taken him by the hand. Since the treaty of 1804 the Osages have been in peace with the white man. Every time the President has wanted it we have sold him our homes. Since then the land has been held by the white man and is all there. And what have I to show for it? Not one cent. The land that we have given to our Great Father is still there, but what we have received is all gone. My chiefs are all dead. They died without any money—died naked. I have never received anything from them for what they have taken from me. The white man has taken our timber and land. He might just as well have taken the money out of my hand. I think we ought to have received something for this. You see what I have got. Every time we raise a good horse some night it comes up missing. When we come back from our hunt our corn is all gone—nothing remaining but the stubbles. I think the Great Father should pay large money for this. The damages would amount to about \$300,000. Now, you have come out to see us, and have brought out a bill for us to sign. We could not until now come to one mind. We are well pleased with the price. My people have confidence in you commissioners. One of you have promised to see the Great Father, and we hope you will. You say you have come to remove us to a new country; and I want a paper to show that I will not be imposed upon hereafter. We leave our lands in trust with the United States, and all lands not sold in ten years we will claim. The country beyond the Arkansas is not good. Nothing will grow on it as it is so poor, and we wish to have the privilege of hunting upon it. I don't like the idea of excepting the school lands, and think the Great Father ought to either pay for them or give us land in our new home in place of the lands given to the State of Kansas for school purposes.

TWELVE O'CLOCK.

LITTLE CHIEF. Commissioners, superintendent, and agent: I think these lands are as good as money. There is money in the land—the land is money. I want the agent and the commissioners to get our money for us as soon as possible. The Osages are not such fools as some think. There are bad men among the Osages as well as among the white men. The white people came here naked, but are now all well clothed. I think they ought to pay us the money now, as it was made on our land. They have made money on our timber, &c., by speculating on the same. I intend to live like a white man. My son lives like a white man. The white man kills the buffalo and other game upon the plains and lets it waste. When we go to our new homes we intend to make laws, like the white man, and will call it trespassing to kill our buffalo and other game. I intend to quit stealing. I do not deny but what we steal; but I am going to quit stealing, as the white man can beat us so bad that we don't stand half a chance with them. I want the white man to quit stealing from us, too. I want to see the white man take possession of all of this land, and crowd into every corner of it, and quit stealing from us, and then we will live in peace with each other. You have read the treaty of 1804, and know what is in it. Since that treaty was made, the Osages have never been hostile to the United States. I remember when the treaty of 1804 was made. I have been a great warrior, but I have quit fighting. Last fall some of the tribes on the plains were about to commence a war, and I was sent to talk with them. I visited them, and succeeded in making peace with them. I know the white men, living on our new homes, have cut timber and made homes there. I want them removed. The Great Father has sent to us many a time to buy our lands, and we have always obeyed him. To-day you have come to buy our lands again, and I feel greatly pressed. I remember when White Hair and the Osages made peace (in 1804) with the United States. The Osages did not get the promises of the Government. The men have all died off, and the promises died with them. New chiefs have just come into power. All the men who made the treaty for the Neoshos are dead. The promises of that time have not been fulfilled. When there were two bands there were but two



chiefs, and my father was one of them. I had a talk with you (speaking to Mr. Lang, one of the commissioners) the other day, and guess we are about the same age. We are so old that there is no one living to say who saw daylight first. I am getting old now, and can't stand as much as a young man. I think the Great Father should give me more than he does the young men; give me something every month. I want you to tell the Great Father to give me a pension.

COLYER. By a clause in this treaty, in section 12, the Indian shall have the right to stay here until the President shall issue his order concerning the same. That is, the treaty will not become a law until accepted by a proclamation by the President; and the Indians, of course, will have the undisputed right to remain in this country until the said proclamation is issued.

WA-SHA-PE-SHE, chief marshal of the Osage nation. Commissioners, and my friends: The business which you have come here for has this day been completed. The Great Spirit has given us a good day, and caused the sun to shine on us. I was present when the line was made between our nation and that of the Cherokees. Afterward the Government run the Kansas line, and this is what made the strip. We want the white man removed from our new home, and kept off of it. If they are kept off we will live in peace.

THUNDER AND LIGHTNING. I want to say something on the same subject. When the line was run between us and the Cherokees, I was there. I saw them as plain as I see you now. The Osages lived down the Verdigris; and I saw the white men pulling the chain along, and followed them. It went past the round mound, that bald mound in the south part of this country.

BIG JOE, the governor. My friends, we now already have been several days consulting on this bill that you have laid before us. Now, after a long time, we have consented to let this bill pass, although these lands are very dear to us. We want, when we go to our new homes, to have it to ourselves, and the whites to stop here. We want you and all the whites to understand it, and we want the white man to treat us liberally. We have drawn up a paper, which we want you to carry to the Great Father at Washington. (See Appendix 18.)

The council adjourned until after supper.

8.30 P. M.—The council met in front of R. W. Dunlap's residence.

THE GOVERNOR. We have concluded, after much talk, that we will sign the treaty, and also four of my head chiefs, and the balance will sign it on Monday morning.

COLYER. We want more than four chiefs to sign it. We don't want to carry it to Washington with so few names signed to it; but would like if all would sign it to-night.

TO-WAN-GA-HE. Our agreement was that only four chiefs should sign it until Monday morning, and we cannot do so now, as it is too late.

HOAG. I told you I wanted this business finished this forenoon, so that I could pay you this afternoon; but it has taken all day, and I cannot pay you to-morrow, as it is the Sabbath day, and the Great Father don't work on that day. I will either leave it, or come back in a month. You will have some 9 barrels of sugar, 600 pounds of coffee, 800 blankets, 2,000 yards of muslin, nearly 2,000 yards of calico, besides butcher-knives, tobacco, &c., &c.—all presents from the Great Father. So you see you won't need your money so soon, as they are worth some \$10,000.

The bill was then signed by Joseph Paw-ne-no-pa-she, governor, Clairmont No-pa-wa-la, To-wan-ga-he, Chish-a-wa-tunga, and Che-to-pah.

CHE-TO-PAH. One thing they wish me to ask you, and ask you to reflect on it; and if you think it all right, to recommend it. The chiefs say that it is the custom to have a copy of the treaty, and hand to every chief; and the commissioners generally distribute copies to all, and wish you to do the same now. They also want you to distribute medals, flags, &c.

COLYER. We have done a great work for you, and we feel proud that you have behaved so well; and I shall always remember you for so kindly signing this paper, and hope you will go to your homes and live in peace and harmony one with another and with your white neighbors.

Black Dog's and Little Clymore's bands did not arrive until Monday morning. They got together about 9.45 a. m., when the following proceedings were had:

COLYER. Perhaps you may wish me to explain this bill?

BLACK DOG. Yes; I want to know all about it, and what has been done by the other tribes.

COLYER. It has always been the custom to hold the council, and then the commissioners report to the Great Council at Washington. This time Congress has held its meeting first. When the Indians agree to this, it becomes a law. By the treaty of 1868, you were to get only a little over nineteen cents per acre. It was a railroad company, and not the Government, that was to get your land by that treaty. Now, if that railroad company had failed the Indians would have got nothing. The Great Father said this was not right. The Indians are my children, and I must take care of them. The Government said we will buy their lands. The Government won't fail.



You are to have \$1 25 per acre. That is six times as much as the railroad was to give you. The land is to be sold to the white settlers for the same as is paid to the Indians. So all the money—every penny—goes to the Indians. That also is good enough. A small portion—only the one-eighteenth—comes out of the amount for school purposes, for the State of Kansas. It is so small that it is not worth talking about. Now, the Government agrees that, as you must lose this home, she will get you a home in the Indian Territory. The Government could have driven off the settlers, but she did not wish to do that. But she will sell the land and give *all* the money to the Indians. You are all familiar with your new home. You can buy one hundred and sixty acres for every man, and one hundred and sixty acres for every woman, and one hundred and sixty acres for every child. So you see, every member of the family can take just as much as a white man can take. The Government got your land as near your old homes as possible. It is the same kind of land, and timber, and water, &c., as this. It is twelve or fourteen miles east and west, by about sixty miles north and south, and takes in the Cana water and timber. You can go out and hunt buffalo as heretofore.

WAW-TAN-KA, one of Black Dog's councilors. I think we ought to have something to say about this treaty. We never got the word till three days ago that you were here, and when we got here this morning we find the other chiefs have signed it.

COLYER. Word was sent to you nearly six weeks ago. The Little Osages got the word three weeks ago, and studied over it till we had to send for them and make them come in. They had their minds made up when they got here; and considered it a good thing. The Great Father has a great many children, and must take care of them.

WAW-TAN-KA. All Osages know that I am one of the head men of the nation. My men are here with me. You have gone to work and completed this without my being here, and for this reason we cannot sign it. I am a man who has always dictated concerning the disposition of our land. Nothing is more dear than land. Off the land we get our living. We can't eat money. The chiefs have told me that they have given this to the Great Father. I want you to tell the President that we want the land west of the ninety-sixth parallel. That is the mark I have laid down. I feel myself as a human being, and am able to study for myself. What I breathe sometimes spreads about. My desire is land, no matter if it costs \$5,000,000 to buy it. We want to know when we will get our money.

COLYER. You will get \$50,000 immediately, to pay for your removal to the Indian Territory.

WAW-TAN-KA. I am well aware that we are to have a part of it now, but when are we to get it yearly?

COLYER. Lands settled on at present will have to pay for them now, or in ten months from this time. They have twelve months from the time the act was passed, two months of which time has already gone.

THIRD CHIEF. I think our bands have got some influence. What we say, is the same as if all had spoken.

LITTLE CLYMORE'S COUNCILOR. We have got chiefs here who are head men, too, and I think they own a part of this land. The first man was a councilor in the same standing that I am, and I agree with him in what he has said. The ground we walk on is dear to us. We live on what the ground produces. I want to talk without being interrupted. The land out on the plains is not good for cultivation—you can't raise anything on it. I think we ought to have all of it to hunt on as long as the buffalo continues plenty and we want to hunt.

BROKE ARM. I have a few words to speak. I don't know anything about maps, or surveying, but know how this land lays, and all about our new home. The councilors have told you that we have land, big land. We are well acquainted with the salt plains, and we want that land. We don't know anything about sectionalizing land. I want the President to do as he promises before we sign the treaty.

KNIFE MAKER. You have heard my councilors talk to you. I think they have good reason to talk as they have. Nothing is more dear than land to us. I have heard the desires of the Great Father, but think there is no room for them. We want the land as far as the salt plains. What has been promised I want to see. When we see them we will sign the paper. If you give us all this land, and the interest on \$4,000,000, we will sign it.

The Indians asked a little time to talk among themselves before signing it, and agreed to give an answer in two hours.

As they did not report at the appointed time, it was determined to go and get their answer before the commissioner left, for he was anxious to reach the railroad in time for the cars. We were invited by Mr. Colyer to take a seat inside the wigwam, which invitation we gladly accepted.

WAW-TAN-KA. What we have said we want you to report to Washington.

COLYER. Yes, of course I shall do that. As it is getting late, and we must reach the railroad in time for the train, I suppose you had better sign this immediately, order that we may be going.



WAU-TAN-KA. I thought you had come prepared to keep us as long as we wanted to stay. I am sorry you cannot stay for a long council.

COLYER. You can stay as long as you wish, but we must be going. Your presents will be here in three days. I have to go and hold a council with the Pottawatomies, and visit other tribes of Indians. As for your not signing it, that will make no difference in the result. The governor and enough of the chiefs, head-men, and half-breeds, have signed it to make it a law already. The result and validity of it is the same, whether you sign it or not. I have no time to talk. Either sign it or let it alone, just as you please.

WAU-TAN-KA. You have plenty to eat, and I think you can wait till we ask our men a few questions, and then you can travel all night—go to the ocean, if you like.

After considerable talking among themselves, they at last consented, and signed the bill. In a short time the last of the commissioners had taken their leave, carrying the treaty with them, "signed, sealed, and delivered."

DAVID STEEL, *Reporter*.

#### APPENDIX 16.

[Telegram to the Secretary of the Interior]

Hon. J. D. Cox,

*Secretary of the Interior, Washington, D. C.:*

After three weeks' earnest consultation the Osages agreed to accept the act of Congress providing for the sale of their lands in Kansas, and their removal to the Indian Territory. The council was held at their old home on Dunn Creek, and was attended by all the headmen of the nation and a large concourse of white settlers. The best of feeling prevailed, and all seemed pleased at the result.

No presents or other temptations were introduced. The liberality of the act induced them to consent. The chiefs were very eloquent, and showed us treaties and medals from the Government, from Jefferson on to Lincoln. One treaty, elaborately engrossed on parchment, with gold chain and seal attached, guaranteed them perpetual possession of their land. It was signed by Dearborn, Secretary of War, 1804. The chiefs earnestly appealed to the commissioners to see that the present law was not violated, like the others.

VINCENT COLYER.

#### APPENDIX 17.

*General Dearborn's letter.*

CHIEFS AND WARRIORS OF THE OSAGE NATION OF INDIANS: The President of the United States takes you by the hand and invites you and all other nations of red people within the Territories of the United States to look up to him as their father and friend, and to rely in full confidence on his unvarying disposition to lead and protect them in the paths of peace and harmony, and to cultivate friendship with the brothers of the same color and the citizens of the United States. We have now made the chain of friendship bright between us, binding us all together for your and for our sake and for the sake of your and our children. We must prevent it from becoming rusty; so long as the mountains in our land endure and the rivers flow, so long may the red and white people dwelling in it live in the bonds of brotherhood and friendship.

In order that this friendship may be perpetuated, and to prevent, as far as possible, every cause which might interrupt it, it is hereby announced and declared by the authority of the United States that all lands belonging to you lying within the territory of the United States shall be and remain the property of your nation unless you shall voluntarily relinquish or dispose of the same; and all persons, citizens of the United States, are hereby strictly forbidden to disturb you or your nation in the quiet possession of said lands.

The President of the United States sends you, by your beloved chief now present, a chain. It is made of pure gold, which will never rust, and may the Great Spirit assist us in keeping the chain, the friendship of which this golden chain is an emblem, bright for the succession of ages.

Given under my hand and the seal of the War Office of the United States at the city of Washington, this 18th day of July, in the year one thousand eight hundred and four, and of the independence of the United States the twenty-ninth.

[L. S.]

H. DEARBORN.

[The above letter was beautifully engrossed on parchment and adorned with a gold chain five feet in length.]

V. C.



## APPENDIX 18.

OSAGE AGENCY, KANSAS,  
*Montgomery P. O., 12th Month 24, 1870.*

DEAR FRIEND: Our half-breed Osages are in much distress, and ask me to appeal to you, and the commissioners that were here, for advice and assistance. About thirty of them, on my advice, filed their intentions with the proper court, of becoming citizens. The tribe moving down into the Cherokee country are going on the hunt. The threats and ill treatment received from the settlers soon forced the most of them to abandon their improvements and follow the tribe, and they were virtually driven back to a savage life so far as those "Christian" land-thieves could do so. Twelve yet remain under unbearable persecution, which they endure with the patience and forbearance of Christian martyrs. Their names are Alexander Beyett, Gesso Choteau, Peter Choteau, Joseph Mosher, Frank Mitchell, Joseph Mitchell, Martin Redman, half-breeds; and Tobey Mogsey, Red Eagle, Mad Chief, Little Wild Cat, and Hlah-so-Jack, full-bloods.

One week ago to-night Joseph Mosher was taken, with his wife (who is near confinement) and their child, from their beds, not permitted to dress themselves, their house and all its contents burned. They were beaten with revolvers and their lives threatened if they did not leave the country, and they were marched to the woods ostensibly to be murdered. This cruel outrage was perpetrated by the Campbell family and their friends, who were incensed beyond measure because Mosher had become a citizen and was likely to enter the claim he has lived on for four years, and had improved with a good cabin, about twenty acres in cultivation, and some fruit trees, and other out-buildings. This was his only crime. He is a quiet and peaceable man. This Dr. Campbell (you know the commissioners became acquainted with this case when you were here, which has culminated so wickedly) "jumped" this improvement about one year ago, and has been carrying on this warfare till now to force Mosher away from his home.

A short time since the court granted Campbell an injunction against Mosher, even preventing him from cutting his fire-wood on his claim. This is a sample of the justice afforded to a citizen of Indian descent by the courts of the State—at least of this part of it. Why this people worship the negro and persist in crucifying the poor, inoffensive Indian, is a problem.

Peter Oacster had a good cabin and 15 acres in cultivation. He filed his intention of becoming a citizen. His house was burned by some incendiary, his ponies stolen. He came to me and said he would have to leave his farm and go with the Indians, for he believed they would rob him of all his property and then take his life. He did go. Two white men divided his farm between them, which tells to the observer who committed or instigated these crimes.

A few days since Martin Redman's house was torn down. Little Wild Cat has been forced by threats of violence to quit improving his claim. Tobey's house was entered by a settler and his family, while he was at this agency on business, and he is not permitted to live in it. He has made a hut, and is waiting for justice, and all of them are suffering in divers ways from these border ruffians. While the Government is spending millions of money annually for the civilization of Indians, why is it that these demons in human shape are allowed to thwart all its efforts in that direction?

That great mass meeting of trespassers, held at the agency, (when you were here to offer the Osages the "Congress bill,") which passed heavy resolutions of protection to the half-breeds if they wished to become citizens and enter their improvements, to induce the half-breeds to withdraw their objections to the bill, and appointed a committee of distinguished settlers to see that they were protected, has proved a great swindle.

The poor half-breeds now say they were fools to place any confidence in men who had overrun that country. They, with myself, have followed up that committee sharply, and begged for protection against those "jumpers," who, as I have related, are destroying the houses and property and timber of these citizen Osages, and threatening their lives. But this committee are powerless, or those of them who are willing to render any assistance, for the mass meeting has "gone back on the committee."

This remark explains the whole of it: "The Osages have signed the bill, and we have got the land; let the half-breeds go to h—l."

Two of the committee, Judge Emmerson and Sheriff White, were disposed to carry out the resolutions and give their personal influence in favor of justice, and as a consequence were badly defeated for offices they were candidates for at a recent election.

These dozen Osage citizens may be killed or forcibly ejected from the country within the next fortnight. They are citizens, and are from under my protection or care as agent, though I aid them all in my power. They are poor, without means to pay large fees to lawyers. The attorneys are mostly expecting to run for some office, hence are averse to taking their cases or assisting them. What can be done for their immediate relief and protection?

Could not Congress be induced at once to pass an act authorizing those I have named



to enter their claims on the quarter-section, including most of their improvements which would work no hardship to any but willful thieves?

Congress could never do a better, a nobler act. If the President knew of their situation he would certainly extend his hand for the protection of his dependent children.

Thy friend,

ISAAC T. GIBSON,  
*United States Indian Agent.*

VINCENT COLYER,  
*Secretary Indian Peace Commission.*

#### APPENDIX 19.

OSAGE AGENCY, KANSAS,  
*Montgomery Post Office, January 12, 1871.*

DEAR FRIEND: About one week ago Joseph Mosher brought me the inclosed discharge of his, and asked me to send it to thee, as he thought something was due him yet from the Government, and as he was all burnt out he needed all the money he could get. He also said the enrolling officer was a Dutchman, and could not pronounce his name properly.

Several of those *fiends* who perpetrated this crime were arrested, and after a protracted examination before a new justice in Independence, three of the Campbells (the doctor and two of his brothers) were bound over for arson. Mosher was much frightened at the time, as they broke in the door at midnight where he was asleep, and, before he could realize the situation, seized him, and they were hurried to the woods, while some of the party burned the house.

The abuse and threats and excitement at the time and since then—being under apprehension daily of being assassinated—was too hard for his rather feeble constitution. Of nights he was much alarmed about those things in his sleep; a fever and inflammation of the brain naturally followed, then spasms, and five days ago he died. A cold-blooded murder. Are there any punishments meet for these Campbells short of an eternal hell? They are out on bail. 'Tis said the settlers are at last realizing the enormity of their crimes. A large mass meeting was appointed to meet on this claim yesterday to take steps for securing the claim to his widow and child. From what I have heard within a few days I will not be surprised to hear that some of these Campbells were strung up yesterday. Two settlers, neighbors of poor Mosher, should have their names written in gold. At the imminent risk of their lives and property they have been mainly instrumental in securing the arrest and conviction of those men, and have furnished him and family with provision and shelter. Their names are J. B. Dodgson and George Cadwell. They have done much to educate public sentiment, and but for them no effort would probably have been made by the settlers to punish those murderers. Some special legislation is necessary to protect the Indian citizen. Mosher was about one-sixteenth Osage, his wife white, and he was intent on becoming a citizen. Had served faithfully in the army of his country, and then to be persecuted to death because he preferred a civilized to a savage life, is a disgrace to Church and State in this boasted land of freedom and equality. Since I wrote, three of those Osage citizens, whose names I sent, came to see me, and said they could not live with these whites as citizens; that they had bound them up with injunctions and threats till they could not sell any wood or logs so as to make a living or make money to enter their homes. I promised them food for thirty days till I could hear from thee, and pledged my friends to advance them money to enter their lands, till they had a reasonable time to make it, if they would remain. They went back much encouraged.

If these Osages could have any chance for their lives and property, at least fifty, with their families, would have become citizens.

Hard Rope is very anxious his name should be attached to the bill. I inclose his name and others.

The Cherokees have dodged us around in the most aggravating way. We have exhausted patience and reason trying to keep peace with them, (as they have intimidated they would be out of humor if we sent the subject to the President for determination.) and have sent our troubles to the President. When the papers reach the Commissioner's office, please read them over, and help the Osages in their request.

I am so sorry we did not go to those mountains and hills, and fry to travel across and through them. You would have had a very different opinion of the country from what is made up from the part that we did travel over. \* \* \*

We must have one-half of the reservation east of 96°, if money can buy it.

Those mountains are a great nuisance and drawback to their civilization, and I hope the Government will not say the Osages must take much of their land there. If Colonel Vaun, or any of the Cherokee delegation, controvert any of the statements I



have made in my papers, so as to affect the opinion of the President, please have the case continued, so that I can verify my representations. Do greatly oblige in this. I deem it of so much importance to the success and prosperity of the Osages as a civilized people, that I would gladly visit Washington, at my own expense, if I had permission, and could have the field and do any good there. \* \* \* \*

I have purchased a good saw-mill, and had it located on the bank of the Canal just back of the cabin at Choteau's.

The most suitable grounds for an agency are occupied by the Cherokee delegation.

The Cherokees have annoyed the Osages and myself about this land beyond ordinary endurance.

I hear of various railroad schemes to stop the survey and sale of these lands. The surveyors have not been through here yet. We hear they came out to survey and then were withdrawn. I do hope the President and you (the commissioners) will see that these lands come into market in due time, and the Osages are not swindled. They look to you for help all the time.

Thee left at Dunlap's thy small gilt-edged Testament; I took charge of it, and will keep it till we meet again. At Father Lang's request I sent him his big black beaver by express.

I sent a specimen of those blankets by express to Commissioner Dodge, of New York. Great cheat they were. The Osages thought these did not correspond with those you had described. I thought best to tell them you had no hand in selecting these; but they had a bad effect, as it showed them you were not good men, or else you had not the influence over the Indian Department they hoped you had.

My wife and family came soon after you left. We (five of us) have been living in my office, having kitchen, dining-room, parlor, and office in a room 12 by 16. Expected to be living down on Cana before now. I go down there every few days to look after the poor ones who did not go on the hunt, to see that they are subsisted, &c., but have spent most of the fall and winter after the Cherokee commission and council, to no purpose but to impress me that the Cherokees are managing to alienate all their friends, and disgust everybody that has any business with them. I like some of them, but the balance —. Had no thought of stringing this out so.

Very gratefully,

ISAAC T. GIBSON,  
*United States Indian Agent.*

VINCENT COLYER.

#### APPENDIX 20.

*To the President of the United States:*

We, the undersigned, chiefs and councillors of the tribe of "Great and Little Osage Indians," in national council assembled, would respectfully present: That the bill making provision for the sale of our lands, and the removal of our people to the Indian Territory, which passed Congress July 15, 1870, has been read and explained to us by the commissioners you sent to us for that purpose.

We feel satisfied that it is your intention to deal fairly with us. We are assured that the bill is the work of our friends, and not of speculators. We therefore are not willing to show a want of gratitude to our friends by rejecting it. We accept the bill as binding upon us and our people, at the same time praying that we may be allowed to purchase a larger tract of country from the Cherokees than that provided in the bill referred to.

That the Government will bind itself to protect the Osages from intrusion upon their lands by treaty, as they have in the case of the Cherokee and other Indian nations.

That they will allow the Osage chiefs and councillors to have definite control of a portion of their funds, as have the Cherokee, Creek, and other Indian nations.

That the Osages be allowed to hold their lands in common until they ask them to be sectionized.

That the Government of the United States will purchase for the Osages adjoining their lands in the Indian Territory the same quantity of land as has been granted the State of Kansas for school purposes out of Osage lands.

That the right to hunt buffalo on the western prairies on Government lands be secured to us as long as buffalo continue plenty.

That the Osages be allowed to send a delegation to Washington for the purpose of conferring with the Government in relation to the foregoing points, and for the purpose of obtaining remuneration for wrongs and depredations inflicted upon them.

We sign the bill with the understanding that the commissioners now on the council ground and other friends of the Indians will assist us in obtaining those things for which we have asked herein.



Relying upon the friendship and good-will of our Great Father, the President, we earnestly urge upon his attention the matters herein set forth.

Signed September 10, 1870, in council, before signing the bill.

JOE-PAW-NE-NO-PAH-SHE,  
Governor of Osage Nation.

NUM-PAH-WAH-LE,  
Head Chief Little Osages.

CLAIRMONT HEAD CHIEF,  
Clairmont Band.

CHEE-SU-WAH-TA-IN-KA,  
Chief of White Hair Band.

TOW-SHE-HEE,  
Chief of Big Hill Band.

MAD CHIEF,  
Briar Town Band.

CHETOPA,  
Councillor Little Osages.

HARD ROPE,  
Councillor White Hair Band.

TALLY,  
Councillor Clairmont Band.

BELVIZO,  
Councillor Briar Town Band.

KON-SHE-KAH-HAH-LE,  
Councillor Big Hill Band.

BIG ELK,  
Councillor Clairmont Band.

WAH-HO-PE-WAH-NAH-SHE,  
Councillor Big Hill Band.

KAH-HE-KE-WAH-TAH-IN-KAH,  
Councillor White Hair Band.

YOUNG STRIKE AXE,  
Second Chief Little Osages.

YOUNG BEAVER,  
Second Chief Briar Town.

WAH-YAH-HAH-KE,  
Councillor Little Osages.

TWELVE O'CLOCK,  
Councillor White Hair Band.

AUGEESE CAPTAIN,  
Councillor for the Half-breed Osages.

ALEXANDER BEYEET.

JAMES BIG HART.

SAMUEL BIENVENUE.

FRANK MITCHELL.

OSAGE COUNCIL GROUND,  
Montgomery, Kansas, September 10, 1870.

The above petition is recommended to the favorable consideration of the President and Secretary of the Interior.

JOHN D. LANG,  
VINCENT COLYER,  
Commissioners.

#### APPENDIX 21.

##### *Communication from the delegation of the Cherokees.*

##### *To United States Indian Commission :*

The Indians living for more than a hundred generations where the supply of game was inexhaustible—his clothing, whatever custom or climate demanded desirable, to a great extent the result of his sports—under circumstances which rendered it undesirable and utterly impossible to accumulate wealth—a state of existence in which each day provided for itself—has been developed into a type of man as peculiar as the circumstances which have surrounded him; a type in which the idea, and consequently the habit, of accumulation is entirely dormant and undeveloped. But through all the long ages past there has been no protection against neighboring hordes, except his ac-



tivity, his cunning, and his valor; hence the development of the warlike traits of his character. That character has been made what it is by the laws of nature, as universal and inexorable as those of gravitation.

The people of Holland, for instance, have been for many generations developed under extremely dissimilar circumstances. A dense population, on a small territory, render toiling industry and frugality necessary to their well-being. Hence accumulation naturally comes to be the ruling idea of their lives. Trained for many generations under a well-regulated government and in a country most notoriously *flat*, the Hollander is mild and peaceable.

The Indian is called indolent, and so he is, for lack of a motive which can arouse his peculiar development. Place an Arapaho and a German on the plains alone; make revenge or friendship the motive, and a school-boy can tell you which would display the most unconquerable energy, braving fatigue, hunger, danger, and death itself.

Change the scene to Washington—to labor for hire. The German would toil day and night, wear out his body and, perhaps, lose his soul for the glittering prize, the almighty dollar; while the Indian would not earn his bread, would sleep, and prove worthless.

Such is the difference between the red and white races, as we now have them. The difference in their developments cannot be effaced by an act of Congress, nor can the result of peculiar training through an hundred generations be entirely changed by one generation of a different training.

The Cherokees are now, by a forward movement through two generations, far in advance of the Arapaho, but equally far behind the white races, in that industrious habit and energy of character which is the result of the development of the idea of accumulation.

To mingle the Cherokee and white men together in the same community would result in the white men soon owning everything, the Indian nothing; and he becomes a useless outcast in the country which was once all his own, his home.

We wish to avoid this. Will a generous and great nation deny to a weak and defenseless people *existence*? We know that all the varied forms of territorial government are but an initiatory step to crowding white settlers among our people. We are told it would make no difference how we are secured and protected, so it is effected; and that it could be done as effectually by legislation as by treaty. But to us it appears that when once cut loose from our treaty moorings, we will roll and tumble upon the tempestuous ocean of American politics and congressional legislation, and shipwreck will be our inevitable destination. We now have our moorings—we have the protection of this powerful Government to look to—its pledges to rely upon; need we apologize for thinking that the Government of Washington and the Adamses is still generous and honorable?

The Cherokees wish to build and own, by such company of Cherokee citizens as shall be organized under the authority of the Cherokee national council, the railroads crossing their own lands, meeting and connecting with such roads as approach their border. They wish to do this for reasons above all pecuniary consideration. They know that to have the roads contemplated through their country owned by capitalists who are strangers to them, who will only look upon their nationality as an incumbrance, and perhaps, their presence in any form a nuisance, would result in the loss of their lands and destruction of their people.

They have the means to build their roads, as above indicated. By allowing them to do so, a nation will perhaps be saved. By refusing the privilege to them, the first successful experiment in the civilization of the Indian will be checked and cut off in the midst of its success, and the last eager hope of a race extinguished; for the land in the Indian Territory is the last and only spot in North America owned and controlled by Indians, and it has been fondly hoped should finally be the last refuge of the remnants of all the tribes exterminated by operation of natural laws before referred to.

Do Cherokees ask too much when they ask for existence? Can they not be allowed those *conditions necessary* to existence, especially when all they ask interferes with the rights of no living man? Have the Cherokees anything claimed or owned by any other man? Who do they wrong? They ask the privilege to live on and enjoy their own lands, which the United States have given them its most solemn pledges to protect them in. Do they ask too much?

They believe Government will be faithful to fulfill all its pledges. Do they wrong the Government or the people in believing this?

LEWIS DOWNING,  
Principal Chief Cherokee Nation.  
WM. P. ADAIR.  
ARCH. SCRAPER.  
SAMUEL SMITH.  
J. P. DAVIS.  
C. N. VAUN.



## APPENDIX 22.

SIR: You request me to state in writing the cause of the outbreak or threatened outbreak of the western bands of the Dakota Nation of Indians. You are aware that these Indians were at war from 1862 to 1868. The cessions made by them in the treaty of 1851, which, among other things, virtually included the whole Platte Valley, then teeming with buffalo, were made in consideration of the annuities therein mentioned being paid to them for forty years. The Senate in ratifying the treaty, reduced the time to ten years. This amendment was submitted to the Indians, and accepted by some old and influential chiefs, but was rejected with scorn by Red Cloud, Single Horn, and by the warriors and influential men generally. But they remained generally quiet till the expiration of the ten years, and went to war as a nation the first year after the expiration of the ten years. In conducting this war the troops penetrated the country of these Indians, and opened a road, and established military posts along the base of the Big Horn Mountains. This being the Indians' last best hunting ground, exasperated them to the last degree, and induced them to fight with more desperation and determination than ever before. The peace commission sent runners to them in the autumn of 1867, and requested them to come in and confer with reference to peace. A few of the old and influential came in, but Red Cloud, Single Horn, and all the warriors sent back word that they would not come in nor make peace until the military posts at the base of the Big Horn were withdrawn, and that route to Montana closed. After considering the matter all winter, and conferring with the Committee on Indian Affairs of the House of Representatives and Senate, the commission unanimously agreed to send messengers to these Indians with assurances that if they would come in and make peace, the military posts and roads at the base of the Big Horn Mountains should be withdrawn and abandoned. To this message all the chiefs (except Red Cloud and two or three adherents, who sent in word that they would not take a promise, but would come in as soon as the posts were withdrawn and the road abandoned) came in and made the treaty, which was proclaimed by the President on the 24th of February, A. D. 1869. As soon as the posts were withdrawn, Red Cloud and his adherents came in, as they had promised, and signed the treaty. Peace and quiet ensued. The desideratum of the commission was the aggregation of all these Indians on an agricultural reservation. All our actions looked to this result at the earliest practicable time, with the least expense to the United States. And the question was squarely presented to the commission, whether it should conclude a treaty with bands of Indians refusing to go upon such a reservation. The chiefs representing by far the larger portion of the Ogallallas, Upper Brulé, and Minneconjou bands, refused to sign any treaty that required them to go upon a reservation, while they could live by hunting in their old country. On this question the commission was at first divided—General Harney and the writer favoring a vigorous prosecution of the war to force these Indians to go to the agricultural reservation, where every means should be provided for feeding and clothing them. General Sherman then asked General Angur, commanding the Department of the Platte, how much force he would require to protect the Union Pacific road, the frontiers in his department, and at the same time conduct a campaign against these Indians. The answer was 20,000 men, one-half mounted. General Terry, in response to a similar question, stated that he should require for the same purpose, in the Department of Dakota, an equal number. General Sherman then stated that the condition of the Southern States and the financial condition of the country were such as to render military operations of such magnitude inexpedient, and that they should be avoided if possible. The commission then decided to make peace with these Indians, if possible, upon the best terms for the United States that could be obtained from them. The treaty referred to was the result. These wild and warlike bands peremptorily refused to remain at peace or sign the treaty without the provisions contained in the sixteenth article and in the fifth clause of the tenth article. The sixteenth article has been complied with by the Government so far as I know, and I refer to it simply for the reason of the inference it suggests, that those Indians were to have the right to roam and hunt in the country herein specified until further stipulations were made in relation thereto. The provisions of the fifth clause of the tenth article of said treaty, upon which these wild Indians laid great stress, have, as I understand it, been utterly disregarded by the United States; and not only have the United States failed to send them any clothing or supplies, but have refused to allow any one to go into the vicinity of their hunting grounds to exchange any supplies with them for the products of the chase. They made it a condition of peace that some of their old friends should be permitted to trade with them at some point near the western line of their agricultural reservation. This was promised them if they would keep away from Laramie. The promise remains unfulfilled. Thus we see a people, numbering about 12,000 souls, who have been denied all that the Government promised them for large cessions of land, and denied the privilege of exchanging the products of the chase for their ordinary necessities, and forced to the alternative of living without them or going to war to capture them. It may be said that they can trade on the



Missouri. They never have traded there, and told us they never would. Our hope was to overcome this prejudice by gradually drawing them in that direction. It was not expected to force them to this in a single year. The question for the Government officials now to determine is, whether it is better to fulfill our treaty stipulations with these people, give them \$10 worth of supplies each, and an opportunity to dispose at fair rates of the products of the chase, or enter upon a war that renders insecure our whole frontier, jeopardise all our vast railroad interests on the plains, destroys much life and property, and which will demand the expenditure of \$50,000,000 at least from the Treasury. Whether the commission, in doing what they did with these people, acted wisely and right, I cannot say, but I do know that each of them firmly believed that he was acting for the best interests of the United States. If this action was wise and right, the failure of the Government to comply with those terms of the treaty applicable to these wild, warlike Indians is radically wrong, and must result disastrously. The Indians upon the reservations, half civilized, and stupefied by sloth and surfeiting, may be slighted and neglected with impunity; but the wild, hunting, warlike Indians resent insult, and rush to war whenever satisfied that they have been dealt with treacherously or oppressed without cause. From the best information I have, there are at least 12,000 of the wild, roving Indians of the Dakota tribe; a larger number have ceased to roam, and are upon reservations. If peace can be maintained, all can be brought upon reservations in a few years, without expense and without loss of life. The country where they now hunt is not needed by our people, and will not be for some time to come, and by the time it is needed the Indians will have abandoned it, for the game will have disappeared. All interests seem to me to demand peace between our people and the Indians, and I hope every effort will be made to maintain it.

I have the honor to be, very respectfully, yours,

JOHN B. SANBORN.

*Late Commissioner to the Indians.*

Hon. VINCENT COLYER,  
*Secretary of Indian Commission.*

#### APPENDIX 23.

##### PIEGAN MASSACRE.

BENTON, MONTANA, *February 6, 1870.*

GENERAL: I have the honor to state, since making my report of the 30th January on the affair between United States soldiers and Piegan Indians, which took place January 3, that I have visited the camp of Big Jake, of the Piegan tribe of Blackfeet Indians, and have seen and talked with several Indians who were in the camp which was attacked by the soldiers. I have from these sources gained the following additional information:

Of the one hundred and seventy-three killed on the 23d, thirty-three were men; of these, fifteen only were such as are called by them as young or fighting men; these were between the ages of twelve and thirty-seven; the remaining eighteen were between the ages of thirty-seven and seventy; eight of the latter were between the ages of sixty and seventy; ninety were women—thirty-five between the ages of twelve and thirty-seven, and fifty-five between the ages of thirty-seven and seventy; the remaining fifty were children, none older than twelve years, and many of them in their mothers' arms. Out of two hundred and nineteen belonging to Red Horn's camp, only forty-six survived; among them are nine young men who escaped during the attack, and five who were away hunting. The lives of eighteen women and nineteen children, (none of them more than three years of age, and the majority of them much younger,) some of whom were wounded, were spared by the soldiers. Red Horn himself was killed. At the time of the attack this camp was suffering severely with small-pox, having had it among them for two months, the average rate of deaths among them having been six daily.

\* \* \* \* \*

W. B. PEASE, U. S. A.,  
*United States Indian Agent.*

General A. SULLY, U. S. A.,  
*Superintendent Indian Affairs, Helena, Montana Territory.*

#### TRANSFERRING THE INDIAN BUREAU TO WAR DEPARTMENT PREVENTED.

Hon. John A. Logan, member of Congress from Illinois, chairman of the Committee on Military Affairs of the House of Representatives, in reporting the bill providing for the care of the Army for the ensuing year, Thursday, March 10, said: "The thirteenth



section provided for transferring the control of Indian affairs to the War Department; but after he had read the account of the Piegan massacre his blood ran cold in his veins, and he went and asked the committee to strike out that section and let the Indian Bureau remain where it is, and the committee had agreed to that."

WASHINGTON, D. C., *April 28, 1870.*

SIR: I refer herewith, for the consideration of the board of Indian commissioners, a communication dated the 27th instant from the Commissioner of Indian Affairs, and accompanying letter of Lieutenant William B. Pease, United States Indian agent for the Blackfeet Indians.

The Department desires that the sub-committee that may visit the region of country referred to in Agent Pease's report, shall investigate the subject to the fullest extent, and satisfy themselves in relation to the attack made upon the Piegan camp on the Marias, January 3, 1870, by United States troops under the command of Colonel Baker.

Very respectfully, your obedient servant,

W. T. OTTO,  
*Acting Secretary.*

VINCENT COLYER,  
*Secretary Board of Indian Commissioners.*

COMMISSIONER PARKER REQUESTS THE BOARD TO INVESTIGATE THE PIEGAN MASSACRE.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., April 27, 1870.*

SIR: I have the honor to forward copy of communication just received from Lieutenant Pease, United States Army, agent for the Blackfeet Indians in Montana, in which, after giving a full detailed history of his relations with General De Trobriand, commanding district of Montana, he asks that a full investigation be made of the fight which took place on the Marias, January 3, 1870, between a body of United States troops under command of Colonel Baker and a band of the Piegan Indians. He asks this with a view of relieving himself from "grave and unjust imputations against his integrity and honor," resulting from his report of the affair. Agreeing with the agent in his views, I would respectfully suggest that the Indian commissioners appointed by the President under the act of April 10, 1869, or some member thereof, be requested to make the investigation without delay, and report the result to the Department for such action as may be deemed proper.

Very respectfully, your obedient servant,

E. S. PARKER,  
*Commissioner.*

HON. J. D. COX,  
*Secretary of the Interior.*

AN OFFICER'S TREATMENT OF LIEUTENANT PEASE FOR REPORTING THE PIEGAN AFFAIR.

FORT BENTON, M. T., *April 7, 1870.*

GENERAL: I have the honor to report that on the 27th ultimo I arrived at Fort Shaw en route for my post at Fort Benton. I remained there until the morning of the 29th ultimo awaiting transportation to complete my journey. On the evening of my arrival at Shaw, in fulfillment of the obligations of ordinary courtesy, I called on Brevet Brigadier General De Trobriand, commanding the district of Montana and the post of Fort Shaw, for the purpose of evincing, as an officer, my respect for the commanding general of the district and post. I was received by him in his apartment in a manner anything but courteous, or as an officer of the Army I had a right to expect. He opened the conversation by interrogating me as to *my business* at the post. I informed him that I was then visiting an acquaintance, an officer of the garrison; that I had called upon him as the commanding officer of the post. He again asked *my business*, and I made the same reply. He then demanded to know why I had made "such a report" of the recent Indian fight on the Marias. I informed him that the report which I had made was a true one. Upon this he accused me of making false statements and of *slandering the Army*. I disputed the truth of his assertion, using words to the effect that I was not given to slander. He then ordered me not to visit the post unless business rendered my presence there necessary. I was surprised and indignant at the discourtesy of which I was the recipient, and do not recollect what reply I made. He made some remarks which I did not fully hear, (partly in reiteration of his words forbidding my presence at the post.) I felt that I had complied with *all* that courtesy demanded of me; that my position as an officer of the Army had been subjected to gross indignity and outrage, and that prolonging the interview would not conduce to an amicable understanding. I therefore withdrew and closed the door, not hearing what he was say-



ing. I am reliably informed, since leaving Fort Shaw, that General De Trobriand has declared, in the presence of other officers, that should I come to the post, excepting on business, he would forcibly eject me therefrom, using as a means of ejection a corporal and four men.

You are aware, general, that this is not the first time that General De Trobriand, in *his official capacity*, has cast damaging and infamous aspersions against my character in *my official capacity*, charging me with complicity with traders and of bringing Indians to Benton, "apparently for traders' interests."

He goes so far as to use his official position to insult me, and to circumscribe my boundaries. Permit me to say here that I am not cashiered from the United States Army; that I have not been tried by a court composed of my brother officers, or convicted of any infamy; that I am not awaiting court-martial for alleged dishonesty or dishonorable conduct, nor am I under arrest. If it were my lot to have endured any one or *all* of these things, certainly no greater indignity could have been cast upon me than has been. I have yet to learn that I am in any way responsible to General De Trobriand for my official conduct, nor do I know from whence he derives his authority, first to *question* and finally to ostracize.

I am detailed for a duty which places me in a position of apparent antagonism to my brother officers. Many will prejudice me and harshly; many, I feel assured, will reserve their judgment until the matter of the Indian fight on the Marias and my consequent report as Indian agent has been fully investigated. I have the honor to request that such investigation be speedily made, that I may be relieved from grave imputations against my integrity and honor, and that such further steps may be taken as shall assure officers of the Army that in *official capacities* their rights are inviolable, until their actions, having been questioned and brought to trial by the proper authorities, are found to be irregular and inviting censure.

I think that it is unnecessary for me to say that to presume a criticism on Colonel Baker's *discharge of his military duties*, or to cast *odium* upon the *Army* was as foreign to the purport of my correspondence as it was contrary to my inclination.

I am, general, with much respect, your obedient servant,

WM. B. PEASE,

*United States Army, Indian Agent.*

General ALFRED SULLY, U. S. A.,  
*Superintendent Indian Affairs, Helena, Montana Territory.*

WASHINGTON, August 31, 1870.

GENTLEMEN: I transmit herewith a copy of a communication received at this office from General Alfred Sully, United States Army, superintendent of Indian affairs, Montana Territory, relative to the Blackfeet Indians. He expresses his belief in the sincerity of the representations made as to their pacific disposition and desire to treat for peace with a special messenger from the Government, and suggests that some one be sent out by the Government to meet these chiefs, at their agency, during the month of September, in accordance with their wishes, for the purpose of establishing a better understanding and friendly relations.

If, therefore, the duties of your commission in reference to Red Cloud's people, and those of Spotted Tail, will permit, and the season be not too far advanced, it is thought that a visit by one or both of you to these Indians would result in producing a better state of feeling among them toward the Government, and induce them to quietly settle in the country, and faithfully observe their treaty obligations.

The wishes of this Department are embodied in the treaty made with them at Fort Benton, September 18, 1868. This treaty was not ratified, and is, consequently, inoperative; but Superintendent Sully and the agent of these Indians, in their report for 1869, approve its provisions, as the best arrangement which can be made with them. Congress, while not recognizing the treaty, appropriated \$50,000 for the year ending June 30, 1871, to be expended in the purchase of goods, provisions, and other things for their benefit, and for promoting their civilization and comfort. Their agent, in his annual report for 1869, says that substantial agency buildings have been erected on the Teton River, seventy-five miles from Fort Benton, and that the Indians are willing to locate at the agency, and live in houses and on farms, if they can be provided with the necessary farming implements, animals, seeds, and subsistence, until they can support themselves.

It is not practicable to give any definite instructions as to what you should communicate to them, further than that you may inform them the Government desires that they should go upon their reservation, cultivate the soil, and live at peace; that when they do this, it will provide them food, clothing, and other things necessary to their comfort; that their young men must be restrained; and that if they commit depredations upon the whites, then they will forfeit all claim to the kind care of the Government and its protection, and may expect to be punished for their offenses.



Should you make the visit, you will please report to this office their condition and wants, submitting such views and recommendations in regard thereto as you may deem proper.

Very respectfully, your obedient servant,

WM. F. CADY,

*Acting Commissioner of Indian Affairs.*

Hon. FELIX R. BRUNOT,

Hon. ROBERT CAMPBELL,  
*Commissioners.*

(Care of Hon. J. A. Campbell, governor and ex-officio superintendent of Indian affairs, Cheyenne City, Wyoming Territory.)

SUPERINTENDENCY OF MONTANA,

*Helena, Montana Territory, August 8, 1870.*

SIR: I have just received a letter from Mr. LeHereaux, dated Camp of the Piegons, Buffalo Head Hills, July 27, 1870. He and Mr. A. Cutbertson, who is with him, say they fully believe that the Blackfeet Indians wish peace, and are anxious that some one commissioned by Government should meet them during the month of September; as they express it, "some one who will bring a message direct from their Great Father in Washington." As I have informed you in a previous letter, I have been very careful in wording my answers to messages I have received from the chiefs of these Indians, since the late troubles we have had with them, not having had any definite instructions in regard to them. I have answered their messages, that I had no word for them from the Government, but that I knew it was not the wish of the President to make war on them so long as they, the chiefs, controlled their young men and prevented them from molesting the whites; but if they or their young men continued to murder and steal, they must expect us to continue to war against them. I think there is no doubt but what Mr. Cutbertson and Mr. LeHereaux are very anxious that all difficulties between the Government and the Blackfeet should be amicably settled. This is to their interest, and it is possible therefore that they may speak more favorably in regard to the friendly disposition of these Indians than the true state of affairs warrant. Yet I am inclined to believe the severe punishment a portion of their nation received last winter from the hands of the military, although unfortunately the punishment did not fall on the most guilty parties, together with the fearful loss they have met with from small-pox, and also the fear of another attack from the troops, may cause them to plead for a peaceful settlement. These Blackfeet are very ignorant and superstitious, and no doubt many of them believe the small-pox was part of the punishment the Government administered to them for their bad conduct. From all I can learn, there is still a warlike element existing in the nation, though greatly in the minority. Therefore it would be best, I think, to take some steps to settle past difficulties, which have been caused as much by the bad acts of bad white men as by the natural proclivities of wild young Indians for mischief. Should you think it best to send some one to meet these chiefs at their agency next September, as they propose, it would be well to send me word as early as possible, so that I can inform them in time.

With much respect, your obedient servant,

ALF. SULLY,

*United States Army, Superintendent Indians.*

Hon. COMMISSIONER OF INDIAN AFFAIRS,

*Washington, D. C.*

COMMISSIONERS BRUNOT AND CAMPBELL UNABLE TO INVESTIGATE PIEGAN AFFAIRS.

CHICAGO, MONTANA TERRITORY, *September 14, 1870.*

DEAR SIR: The letter of Mr. Cady's, written under date of 31st ultimo, inclosing communication of General Sully, relative to the Blackfeet Indians, was received on our return from Denver. The suggestion that a visit of the commission to the Blackfeet in September would be productive of benefit, and the expression of the wishes of the Department in regard thereto, are duly considered and appreciated. Both Commissioner Campbell and myself would cheerfully undertake the proffered duty if other engagements would permit. The unexpected detention we have met with here already, and the evident fact that our interviews with Red Cloud cannot begin before the 22d or 23d, will make it impracticable for us to visit there this season. By abandoning the visit to Spotted Tail's band and the Sioux of the Missouri River reservations, I might probably make the visit to the Blackfeet, but it is questionable whether it would be well to do so, as the visit to Spotted Tail has been promised. Commissioner Campbell will return to St. Louis, his private affairs compelling him to do so. On the completion of our general business here we propose to go to Fort Laramie. On Monday Red Cloud's goods will be here. On 15th we are informed that a very large num-



ber of Indians will be at Lawrence, but the statements are too indefinite for any correct estimate of their number.

Respectfully, your obedient servant,

FELIX R. BRUNOT.

Hon. E. S. PARKER, *Commissioner*.

LEUTENANT PEASE'S FINAL REPORT ON CONDITION OF PIEGAN'S.

BLACKFEET INDIAN AGENCY,

September 12, 1870.

GENERAL: I have the honor to forward the following report of affairs pertaining to the Blackfoot nation of Indians, comprising the Blackfeet, Blood, and Piegan tribes, for the year ending August 31, 1870.

During the past year the Bloods and Piegans have suffered severely from small-pox, losing the greater number of their young men and women; of this, however, I have already made full statistical report.

The Blackfeet are now suffering with the same disease. This tribe of the nation has been in the British possessions since my connection with their affairs, never visiting this section excepting in small and occasional parties, and remaining but for a few days.

Of the affair known in the newspapers as the "Piegan Massacre," there is no occasion for me to make any further mention, as at the time of the occurrence I made full military and Indian reports, which were duly acted upon, (by the newspaper reporters.) I will forbear, therefore, from dwelling on this epoch in Indian affairs; I will only suggest, in justice to the Department in which I have the honor to serve, (as I have before on several occasions,) that as the reports of the military and Indians conflict in many important particulars of the affair, the matter be subjected to a thorough investigation, and that the result of the investigation be duly considered.

It is but justice to the Blackfeet nation of Indians to say, that since my connection with them they have been entirely peaceable, with one exception, viz: About the last of November, 1869, a small war party drove off a number of mules belonging to a freighter between Helena and Benton, (at a place called Dearbourne.) This party afterward attacked a number of Spanish hunters and trappers near Fort Shaw, killing one and wounding another. This is the sum total of the outrages committed by the Blackfeet Indians (comprising the Piegans) during the past year; nevertheless, as a nation they are called hostile, are allowed no trader, and are indiscriminately slaughtered.

Owing to the circumstance that no funds have been furnished for the purpose, I have been able to effect little or nothing toward the advancement of these Indians. Their agency is in a dilapidated condition, with no means to improve it; even were this otherwise, it would be impossible for the Indians, owing to existing orders which prohibit them from coming on this side of the Marias River, to avail themselves of the benefits which might accrue to them were they permitted to live in its vicinity.

As far as my knowledge aids me, I can safely recommend these Indians to the generosity of the Department as good and friendly Indians, desiring, above all things, peace with their "white brothers."

I forward herewith statistical reports, as required.

With much respect, your obedient servant,

WILLIAM B. PEASE,  
*Indian Agent.*

General ALFRED SULLY, U. S. A.,  
*Superintendent Indian Affairs, Helena, Montana Territory.*

APPENDIX 24.

CORRESPONDENCE WITH MISSIONARY SOCIETIES.

DEPARTMENT OF THE INTERIOR,

Board of Indian Commissioners, June 6, 1870.

DEAR SIR: When I had the pleasure of talking with you at your office in New York, a few weeks since, I briefly sketched out before you what direction the present management of Indian affairs appeared to be taking here. I reminded you that the Quakers had been placed by the President in charge of the two large northern and central superintendencies, in response to their petition, calling upon the President "for a more liberal and attentive consideration of the welfare of the Indians than had recently been given to the subject by his immediate predecessors," and I took the liberty of inquiring whether it was not possible for your board to be induced to take a position and assume a responsibility of a somewhat similar character to that assumed by



the Society of Friends, referred to above. In reply, you called my attention to a seemingly discouraging incident which had recently occurred in your efforts at coöperating with the Government in the civilization of the Indians in Nebraska, and kindly gave me a copy of the advance sheets of your official report upon that subject. You also said, in reply to my inquiry, that your annual assembly, then near at hand, would so fully occupy your attention that you could not immediately give the subject that consideration which, under other circumstances, you might feel it justly deserved.

On my return to Washington, I called the attention of the honorable Secretary of the Interior to the incident of your great discouragement in being supplanted in your educational work among the Pawnees, (though I had to do so from memory, the copy of your report having been mislaid by me,) and he replied that the subject was altogether new to him, and that if it had ever been brought to his attention it had entirely escaped his mind, but he fully believed that he was then hearing it for the first time. He said that he deeply regretted the circumstances, as there was nothing he so much desired as the hearty coöperation of societies like your own; that he would do everything in his power to both foster and encourage your efforts, meeting you more than half way in anything you would be willing to undertake, and he wished me to say this to you.

Furthermore, I referred to the unpleasant controversy which has arisen between Rev. Mr. Roberts and the United States agent of the Navajo Indians, in New Mexico and Arizona, and inquired what action the Department had taken in the matter. The Secretary said that he instructed the Commissioner of Indian Affairs to write to Mr. Roberts that by the recent action of Congress, preventing officers of the Army from holding civil positions under the Government, Mr. R. would soon be relieved from further annoyance in that direction.

Considering the above facts of the readiness of the President to place the care of the Indians in the hands of Christian bodies, willing to assume the responsibility, giving them the means, and protecting them by the whole power of the Government; the kindly feelings of the Secretary of the Interior toward the Presbyterian board, its mission and work; the withdrawal by Congress of the Army officers as agents, and the probable consequence of the appointment of political parasites as agents, unless the Christian friends of the Indian can substitute a better selection; now that your assembly is over, will you not give this subject your experienced consideration, and let us know whether your board would not be willing to undertake the supervision of one or more Indian reservations, say the Navajo, or some other.

Very respectfully, your obedient servant,

VINCENT COLYER, *Secretary.*

Rev. Dr. LOWRIE,

*Secretary Presbyterian Board Home Mission, New York.*

NEW YORK, June 8, 1870.

DEAR SIR: Your favor of the 6th instant has been received and read with interest. I write now chiefly to acknowledge it, and to say that I hope to write to you before long more fully on some of the subjects to which it refers. Our missionary board receives some new members under the action of the late general assembly, (among them our friend Mr. William E. Dodge,) and I doubt not the "Indian question" will receive early consideration after the board is constituted. Your letter will be laid before the board at its first meeting.

It is very gratifying to us to know that the Secretary of the Interior is so deeply interested in the welfare of the Indians. As to the views and efforts of our board in regard to them, these may be inferred from the fact that out of 643 missionaries and assistant missionaries under the care of the board in past years, 264 have been employed among the Indian tribes, although heretofore so few of these tribes have been within reach of such laborers. I trust that hereafter we may be able to do a larger and better work for the Indians.

I send you, with pleasure, another copy of our report in proof, but complete as far as here printed. Certain parts are not yet ready for the press, but the report will be published in a week or two, probably.

With kind regards, yours, very truly,

JOHN C. LOWRIE.

Mr. VINCENT COLYER, *Secretary.*

MISSION HOUSE, 23 CENTRE STREET,  
New York, June 22, 1870.

DEAR SIR: It gives me pleasure to mention that our board of foreign missions gave a favorable consideration to your letter, and to your proposal that they should nominate a reliable person for Indian agent among the Navajoes. They will make inquiries for such a man without delay. Both Mr. Dodge and Dr. Crosby take a special interest



in the matter. As soon as we can find the right man, you may expect to hear from us again on the subject.

Our friends do not design to restrict their inquiries to members of the Presbyterian denomination. This you will understand as an evidence of the kind of feeling with which this service is regarded by the board.

Yours, very truly,

JOHN C. LOWRIE, *Secretary.*

MT. VINCENT COLYER, *Secretary, &c.*

WASHINGTON, D. C., *June 23, 1870.*

DEAR SIR: Yours of June 8 and yesterday are before me, and I am glad to learn that your board will take care of the Navajoes. I hope they will go a little further and include the Moqui, Pueblos, Pinas, and Maricopas, of Arizona, who live just beyond the Navajoes, in the same direction. They are an agricultural people, docile, and much more manageable than the Navajoes.

The President has decided to place all the other Indian reservations under the care of Christian bodies, and the new appointments will be made some time during the early part of next month—July.

Faithfully yours,

VINCENT COLYER, *Secretary.*

REV. JOHN C. LOWRIE, D. D., *Secretary, &c.*

WASHINGTON, D. C., *June 23, 1870.*

DEAR SIR: The honorable Secretary of the Interior suggested that I should write to you concerning the direction which the management of Indian affairs is now about to take.

Last year you will probably have noticed that a portion of the Indian reservations (the Northern and Central superintendencies, in Eastern Kansas) were placed under the care of the Society of Friends, while all the remainder, and by far the larger portion, were placed under the care of officers of the Army detailed from the War Department. Congress having passed a law that "Army officers cannot hold civil positions," the President has decided to invite the coöperation of other religious bodies beside the Quakers to take charge of these reservations, and to nominate such persons as they can recommend as agents in the place of the Army officers, and to add that, inasmuch as the Secretary of the Interior, General Cox, is now at Cambridge, Massachusetts, making a visit of a few days to Ex-Attorney General Hoar, if you could drop him a line, he would probably call upon you, or you might call upon the Secretary at Mr. Hoar's. He has the matter very much at heart, and would be glad to see you.

The new appointments will be made soon after the 1st of July. \* \* \*

With high regard, I have the honor to be, very respectfully, your obedient servant,

VINCENT COLYER, *Secretary.*

REV. S. B. TREAT,

*Secretary American Board of Commissioners for Foreign Missions,  
Boston, Massachusetts.*

I inclose a brief synopsis of the present condition of the Indian tribes, which may interest you.

V. C.

WASHINGTON, *June 25, 1870.*

SIR: Some time since I spoke to you about your society's enlarging its work among the Indians. I hardly thought at that time that the work would be so suddenly precipitated upon us, as it now has been. The President has had, up to this time, two lines of policy in his treatment of the Indians—the Quaker and Army officer, antagonistic the one with the other. I have contended against the Army's supervision, as simply policing the Indians, not reclaiming or civilizing them.

Congress has taken our view of the business and retired the Army officers. Now come in the politicians to resume sway; but we beg the administration not to give it to them, but to call in more Christian denominations like the Quaker, and the President agrees. So we now have the whole of the Indian tribes in the hands of the Christian churches. Will they take hold? that is the question. The Presbyterians say yes; they will assume charge of a reservation designated by us to them—the Navajoes and Moquis, in New Mexico and Arizona. They will nominate an agent, (not necessarily a Presbyterian, Rev. Mr. Lowrie says,) who will take entire control of the tribe, the annuities, goods, schools, churches, &c., as Bishop Whipple has done in Minnesota, and as the English churches have done in Canada and British Columbia. The Roman Catholics will take hold with eagerness. The Baptists have the subject under gravest consideration, and so also have the Methodists; these latter have said that they will take care of two reservations. Now, what will you say?



I have written hurriedly to Rev. Dr. Tyng, and he may introduce the subject to you. I think it a glorious opportunity for doing a great work for our dear Redeemer. Whoever comes to the poor Indian with goods and food and protection, to him will he turn and listen; and the gospel that first heals his bodily infirmities he will think most resembles the character of Jesus of Nazareth, as he reads or hears of it in Scripture.

I trust that you will bring this subject to the prayerful consideration of your society, remembering that here is not a body of poor paupers, who are to be thrown on your charity unprovided for, and who will only be a heavy burden, but that here are poor people who come to you with means and power placed at your command to provide for and protect them with.

I inclose you a brief abstract of the tribes of the United States, and have to add that the salary of an agent is \$1,500, and that of a general superintendent \$2,000 per annum.

The new appointments must be made early next month, when the Army officers retire, so that our prayers, consultations, and action must be prompt, or the golden moment will pass out of our reach.

Sincerely your friend, &c.,

VINCENT COLYER, *Secretary.*

Rev. Mr. ANTHON,

*Secretary, &c., Am. Ch. (Episcopal) Missionary Society.*

WASHINGTON, D. C., June 24, 1870.

DEAR DOCTOR: For nearly a year past I have been earnestly striving to have the care of the Indians of our country taken out of the hands of the politicians and the Army, and placed under the care of Christian churches, and at last the President, under God, has consented to the change. Congress having forbidden officers of the Army to hold civil positions, fifty and more vacate the offices of Indian agents, and their places in the early part of next month, must be supplied by other persons. The President says that if Christian denominations will take charge of other Indian reservations as the Friends have done in the two superintendencies in Kansas and Nebraska, he will gladly appoint such persons, clergymen or laymen, as they may nominate.

I have already written to the Presbyterian Board of Foreign Missions, of which Rev. John C. Lowrie is secretary, and under the guidance of Mr. William E. Dodge and Howard Crosby, D. D., they will take charge of the Navajo reservation in New Mexico and other tribes thereabouts. Now I write you to know if the American Church Missionary Society will not come forward, and, looking over the field in Colorado, Montana, Wyoming, Idaho, Nevada, Oregon, and Nebraska, select a field and tribes, and assume at once the responsibility and nominate suitable men to the honorable Secretary of the Interior as agents. The salary is small, only \$1,500 for agents and \$2,000 for general superintendents, except in California, where it is more. The amount of goods and money they have to handle in some cases is considerable, so that honest men are essential.

It is the first time in many years that our churches have had so large an opportunity for usefulness, and I trust that the project will appear to you favorably, and that you will use your influence to aid us promptly.

The honorable Secretary of the Interior wishes me to write this letter and will indorse all I say, and cordially cooperate with your society in every practicable way.

I write in haste per mail.

Yours, truly,

VINCENT COLYER.

Rev. STEPHEN H. TYNG, D. D.,

*New York, Chairman Ex. Com. Am. Ch. Miss. Society.*

IRVINGTON ON HUDSON, July 6, 1870.

MY DEAR FRIEND: Your letter of June 24 should have been promptly answered if I had possessed the means to answer it. But my own incoherent affairs have so much occupied and harassed me that my attention has been much absorbed, and the mid-summer takes all our gentlemen away, so that it is impossible to obtain a meeting adequate to consider so responsible and important a proposal as you have made. For myself I should intensely delight in adopting such a proposal. But in the extremely low state of the Church Missionary Society, and of the interest which it represents in the Episcopal Church, I hardly dare to indulge the hope that they could fulfill the engagement if it were made. I have been to the office for the purpose, but have as yet not succeeded in seeing any of our committee. The opening is a grand and providential one. My heart leaps to embrace it. But I am personally crippled in everything. I have not been permitted to bring the influence and wealth of St. George's to the point I have desired, nor near the stand and action which becomes them in the position which they hold. My own resources in my own missionary fields are extremely hindered and limited. How great is the grief of seeing such opportunities for usefulness in the Saviour's cause with no power to grasp and enjoy them! It is one of my constant griefs.



My own age forbids the personal effort which I once could make, and I am obliged to witness for our negligent churches fields of unspeakable usefulness unoccupied and passed by. I will do my utmost in this matter. But we must have more time than you specify.

Yours, affectionately and faithfully,

STEPHEN H. TYNG.

Hon. V. COLYER.

MISSION ROOMS OF THE METHODIST EPISCOPAL CHURCH,  
805 Broadway, New York, June 25, 1870.

DEAR SIR: We, the secretaries of the Missionary Society of the Methodist Episcopal Church, took an early opportunity to report to our proper committee the substance and many of the particulars of the conversation we had with you in our office a day or two ago touching the President's Indian policy. The committee was so impressed by its wisdom and utility that they communicated informally to our board of managers yesterday their convictions. A free and full conversation ensued among the members of the board, which resulted in the unanimous adoption of the following resolutions, viz:

1. *Resolved*, That we, the board of managers of the Missionary Society of the Methodist Episcopal Church, do heartily approve of the Indian policy of the President of the United States as indicated by Mr. Vincent Colyer, and that we will coöperate with him in the same.

2. *Resolved*, In pursuance of the preceding resolution, we name to Mr. Colyer, to be suggested to the President, the following gentlemen, viz: Richard Smith, for Michigan; Rev. James H. Wilbur, for Oregon and Washington Territory.

In coming to these resolutions there was a universal agreement in the declaration that we did not intend or desire to assume any of the responsibilities of any Indian agent, but to informally name through you to the President such person or persons as, in our judgment, would be faithful agents, and be agreeable to the Indians and to all moral and religious societies engaged in prosecuting moral and religious operations among them.

You will perceive that we name two gentlemen: one for Michigan, and one for Washington Territory and Oregon. We name them from the personal knowledge we have of them as persons who have large experience in Indian affairs, and of unblemished reputation. We name the territories in which we suggest that these gentlemen shall be employed as agents severally, because the Missionary Society of the Methodist Episcopal Church has for many years carried on large and expensive missions in those fields.

Should there arise occasion we shall be pleased to learn what action is taken by you, if any there be.

Very truly, yours,

J. P. DURBIN,  
*Corresponding Secretary.*

VINCENT COLYER, Esq.,  
*Washington, D. C.*

WASHINGTON, D. C., June 25, 1870.

DEAR SIR: The Christian denominations are responding cheerfully to our proposals to them to take hold of the Indian work; but they all foresee a difficulty in the fact that the offices of general superintendent of those western reservations will still be left in the hands of the political governors of the Territories, which will embarrass their work greatly. Some years ago Congress relieved the governors of several of these Territories of this part of their duty; and I think you were present when Governor McCook, of Colorado, and one other, expressed a wish to be relieved from this duty. In talking with Senator Morrill, of Maine, to-day, he seemed to think the committee of conference of the two Houses on the Indian appropriation bill would agree to report a bill changing this, if you approved of it. He took hold of it at once. I think this an important movement in the line of our new Indian policy, and beg of you a prompt reply by telegraph, on Monday, as the committee hope to meet Monday evening. By prompt action we shall gain a year, and, avoiding protracted discussion, enter on our work harmoniously at once.

Truly, yours,

VINCENT COLYER.

Hon. J. D. Cox,  
*Secretary of the Interior, Cambridge, Mass.*

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## APPENDIX 25.

## INITIAL LETTER DIVIDING THE INDIAN AGENCIES AMONG THE CHRISTIAN SOCIETIES.

WASHINGTON, D. C., August 11, 1870.

SIR: Agreeably to your suggestion of yesterday I have made a rapid sketch of localities where the various Christian denominations of our country may most naturally follow up their work, in most instances already commenced, on behalf of the Indians.

First in order come the Quakers, the Orthodox branch of which society are already established in Kansas and the Western Indian Territory.

Going south, next in order come the Baptists in Cherokee country, side by side with the Presbyterians, or rather the American Board of Commissioners for Foreign Missions, of which Rev. Mr. Treat, of Boston, is secretary. These two societies have had the *larger part of the mission work* to do in the eastern side of the Indian Territory among the Cherokees, Creeks, Choctaws, Chickasaws, and others, and although other societies are working efficiently there, the prominence of these two societies ought to give them the choice of agent or general superintendent.

Crossing the northern plains of Texas you meet the Wichitas, Kiowas, Comanches, Cheyennes, Arapahoes, and the Apaches. These are now in the care of the orthodox Quakers.

Next across in New Mexico, which is more directly reached by way of Kansas Pacific Railroad, you have first the Utes near Maxwell's at the base of the Raton Mountains. These you can assign to the American Missionary Society, Rev. Mr. Whipple, secretary; and you can continue their mission field down into Southern New Mexico and Arizona, giving them a portion of the Pueblo villages, on the Rio Grande, and the Apaches of New Mexico and Southeastern Arizona. Other Pueblo villages on the Rio Grande are claimed by the Roman Catholics, and as they have missions there these can be assigned to them. Passing westward you come to the Navajoes, Moquis, Pimas, and these, together with the Utes on the San Juan River, ought to be assigned to the Presbyterian Board, which already has missions there, and they are alone in that field. The secretary is Rev. Mr. Lowrie, 20 Centre street, New York.

At present the basis of supplies in that direction ceases with the Moquis, and the tribes and people in Western Arizona are supplied via San Francisco. The tribes in Western Arizona are assigned to the Reformed Church, of which Rev. Mr. Ferris is secretary, office corner of Vesey and Church street, New York; this society formerly known as the "Dutch" Reformed Church.

As these tribes will hereafter be supplied via Union Pacific Railroad and Salt Lake, I have continued (on the map) their missionwork up among the tribes in Salt Lake Valley to the railroad.

As the Roman Catholics already have missions among the Indians on and near Puget Sound, and General Parker says also among the Nez Perces and at the head of the Missouri River, and the Powder River Sioux, I have marked these reservations down to that Church.

Coming down the Missouri, the great reservation of the Blackfeet, Assinaboines, Piegiens, &c., has been placed at the disposal of the Methodists, of which Rev. Dr. J. S. Durbin and Dr. Harris are secretaries, 805 Broadway.

Continuing down the Missouri, you next come to the Episcopal and American Board of Commissioners for Foreign Missions Societies' missions in Dakota, and these reservations, I think, might without jarring be placed in the care of these two societies. The Episcopal Society is what is known as the evangelical branch of that Church, and differs only in church discipline from the Presbyterian. The Rev. Mr. Anthon is secretary, 13 Bible House, New York, "American Church Missionary Society," and Dr. Treat, of Boston, secretary of the other.

Along the line of the Union Pacific Railroad the Baptists have established, or are commissioned to establish, mission stations, and as there are numbers of stray bands of Indians along that railroad I have marked these, together with the tribes in Southern Idaho, to the Baptists. Hon. Nathan Bishop, 11 East Twenty-fourth street, New York, will respond to letters addressed to that society.

This brings us back to Omaha and Nebraska, and here the Hicksite Society of Friends are already successfully operating.

In Minnesota the Yankton Sioux are under the hospitable care of the Episcopalians, of which the Hon. William Welsh, of Philadelphia, is the efficient patron.

In Northern Minnesota, the Chippewas, if not already provided for, might be recommended to the able supervision of the Unitarians, of which society Dr. Henry W. Belows, of New York, is President.

These are simply suggestions made in response to your kind request.

Faithfully, your obedient servant,

VINCENT COLYER,  
Secretary of Board.

Hon. J. D. Cox, Secretary of Interior.



LETTER FROM FATHER DE SMET, JESUIT MISSIONARY.

ST. LOUIS UNIVERSITY,  
St. Louis, January 6, 1870.

HONORABLE SIR: Having the honor of your acquaintance for these several years past, in my capacity of missionary among the Indian tribes, knowing the deep interest you take in the welfare of the Indians, and in your present capacity as member of the board of commissioners instituted by Government for the interest and civilization of the Indians, allow me the liberty of laying before you my intention of establishing a mission among the upper Sioux tribes, should it meet with the approbation of the board of commissioners.

A few words of explanation may be here necessary. I visited various bands of Sioux in the summer of 1868. Several considerable portions of Indian tribes about Fort Sully and Fort Rice were friendly, and entertained peaceable dispositions toward the Government and the whites. The presence of the hostile Sioux bands being highly desirable and necessary to meet the commissioners at Fort Rice, in order that a treaty of peace might be concluded, I offered my services, which were accepted. Accompanied by Mr. C. E. Galpin in the capacity of interpreter, and a band of friendly Indians as scouts, we proceeded across the Plains in a western direction. After about fifteen days' travel we found the hostile bands, to the number of several thousand, encamped on the banks of the Yellowstone River, ten miles above the mouth of Powder River. They had been apprised of my approach by some of the scouts, and I was met by hundreds of warriors clad in their finest apparel and war ornaments. They welcomed me into their country, and amidst the greatest rejoicings conducted me to their common camp, consisting of about a thousand lodges, and composed of Ogallallas, Brulés, Blackfeet, Sioux, &c. The day after my arrival I held a council with the Indians, attended by thousands. A space of over an acre was surrounded by Indian lodges and served as the council hall. It was filled to its utmost. I made known to them the benign intentions of the Government in their regard. I was listened to with apparent great attention, and received the answers from the various orators appointed for the occasion. On my return to Fort Rice I was accompanied by a number of deputies from the hostile bands. They attended the great council of the Government commissioners, and signed the treaty of peace.

Several of the chiefs present at the council, in their speeches to the commissioners, expressed a desire to be attended by black gowns, or Catholic priests, for their instruction and that of their children. For years past, during my missionary visits to them, and more particularly in the summer of 1868, at Fort Rice, have I been earnestly requested by the chiefs to make a missionary establishment in their midst. I made them a formal promise to that effect, if in my power, and to interest myself in their behalf. I entertained the hope of seeing them the following summer of 1869, but being called to Europe on business, and on account of subsequent sickness on my return to the United States, I have been compelled to postpone my visit until next spring.

In conformity with the wishes of numerous Indians and half-breed families, I feel desirous to establish a mission for their welfare in some well-suited locality. I must here humbly observe that our means for such an undertaking are very limited and inadequate. Should we be able to bring the design about, and should our services be acceptable, my principal object in addressing you, honorable sir, is to humbly beg you to present our case to the honorable board of commissioners of which you are a distinguished member. Should means be accorded for the undertaking of our contemplated mission, it shall be gratefully received and conscientiously applied in accordance with the views of Government, and in favor of the Indians.

Allow me to make the observation that our Catholic missions among the Pottawatomies and Osages during their whole existence, for over twenty years, have always been in a flourishing condition, and have merited the approbation and praise of the various superintendents and agents of the Government. The usefulness and good done by our missions in the Rocky Mountains (Montana and Idaho) are highly spoken of in late letters I received from General Sully.

Should references be necessary, allow me to name General Sherman, Commissioner Parker, Generals Stanley, Harney, Terry, and Sully.

With sentiments of profound respect and esteem, I have the honor to be, honorable sir, your obedient servant,

P. T. DE SMET, S. J.

Hon. R. CAMPBELL,  
St. Louis, Missouri.

REFORMED (DUTCH) CHURCH.

34 VESEY STREET, NEW YORK, September 10, 1870.

MY DEAR SIR: At the meeting of the executive board of foreign missions of the Reformed Church, held September 7, 1870, it was—



*Resolved*, That Mr. Charles G. Curtis, of Fishkill, Dutchess County, New York, and Mr. F. M. Mead, of Danbury, Fairfield County, Connecticut, be nominated to the United States Government as suitable persons for appointment as Indian agents.

We settled nothing in regard to location, not being possessed of sufficient information. Besides, it seemed best to us those gentlemen should confer with the board of commissioners, and themselves select their place of labor.

We expect as soon as possible to undertake the Christian instruction of the selected tribes. We must find the proper men as missionaries or teachers, and that will demand a little time. The disposition of our board is to coöperate heartily with the Government in the endeavor to improve the disposition and condition of our American Indians.

If we can carry out our own methods of working—and there does not seem to be any reason why we may not—we may expect, under God, to accomplish results as desirable as those obtained in China and India by our representatives there. The main difficulty will be to obtain the services of just such men as we wish for.

If there is any information, or any directions that we ought to have, be so kind as to let me have them.

Respectfully and sincerely yours,

J. M. FERRIS,  
*Corresponding Secretary.*

VINCENT COLYER, Esq., *Secretary, &c.*

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#### APPENDIX 26.

##### INTERPRETATION OF THE NEW LAW GIVING SUPERVISORY POWER OF THE BOARD.

WASHINGTON, *July 19, 1870.*

SIR: Will you favor our board of Indian commissioners with your interpretation of that portion of the new Indian appropriation law, which says: "It shall be the duty of said commissioners to supervise all expenditures of money appropriated for the benefit of the Indians in the United States, and to inspect all goods purchased for said Indians, in connection with the Commissioner of Indian Affairs, whose duty it shall be to consult said commissioners in making purchases of such goods."

It is more particularly with reference to the first clause, as contained in the first three lines, that there may be a word or two of explanation desirable.

Our wish is simply to obtain from you your idea of about what the House of Representatives expect from us, in order that we may neither transcend nor fall short of our duty under the above law.

Very respectfully, your obedient servant,

VINCENT COLYER, *Secretary.*

HON. AARON A. SARGENT, of California,  
*Chairman of Committee on Appropriations, House of Representatives.*

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#### APPENDIX 27.

##### COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES,

*July 20, 1870.*

DEAR SIR: In answer to your note asking my interpretation of the following provision of the new Indian appropriation bill, viz: "It shall be the duty of said commissioners to supervise all expenditures of money appropriated for the benefit of the Indians in the United States, and to inspect all goods purchased for said Indians, in connection with the Commissioner of Indian Affairs, whose duty it shall be to consult said commissioners in making purchases of said goods," I reply that it seems to me its meaning is on the surface. Congress desires that your commission shall oversee and advise in all contracts for or purchases of Indian goods; shall see that the articles bought are suitable, and the prices reasonable; that the kind and amount of goods contracted for are delivered; that annuities are properly paid; that presents are justly and judiciously given; in short, that you shall "supervise all expenditures of money appropriated for the Indians." This is expressly made your duty by the statute, and your board must fulfill it or resign. It makes it the duty also of the Indian Commissioner to consult your board in all purchases for the Indians. You do not expend the money, for that is the duty of the Commissioner. But you have a right to know of and advise in all expenditures, all receipts for goods, &c. In case of a difference of opinion between yourself and the officer charged with the disbursement, you can only advise and



report to the Secretary the facts which induce your dissent. I do not think, however, in view of the earnest desire of the Secretary and the Commissioner of Indian Affairs for an honest and efficient administration of Indian affairs, that your board will have any difficulty in complying with the requirements of the provision in question.

Respectfully,

A. A. SARGENT.

VINCENT COLYER, Esq.,

*Secretary Board of Indian Commissioners.*

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APPENDIX 28.

PITTSBURG, PENNSYLVANIA, June 3, 1870.

DEAR SIR: At the last meeting of the board of Indian commissioners I was not able to inform the committee intrusted with the duty of advising with the Commissioner of Indian Affairs in regard to the purchase of goods, at what time the spring purchases would be made, and their services required.

It is desirable that they should have some notice in advance, so as to suit their arrangements to your convenience. I will be obliged to you if you will let me know when you propose to make the purchases, and to confer with the committee on the subject.

Please address reply to Mr. Colyer's office, as I expect to be in Washington on Monday, 6th instant.

Very respectfully, your obedient servant,

FELIX R. BRUNOT.

Hon. E. S. PARKER,

*Commissioner of Indian Affairs, Washington, D. C.*

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,

*Washington, D. C., July 18, 1870.*

SIR: The Indian appropriation bill having been passed by Congress on the 15th instant, I am now able to answer your letter of the 3d ultimo, relative to the time when the purchase of Indian goods will take place.

I shall be in New York on Thursday, the 21st instant, with a view of making the necessary Indian purchases, and I shall be happy to meet you, or any of the commissioners, at 10 o'clock a. m. at the Fifth Avenue Hotel, for consultation as to the best method of proceeding expeditiously in this business. The season is so far advanced that no time can be lost in this matter.

Very respectfully, your obedient servant,

E. S. PARKER,  
*Commissioner.*

FELIX R. BRUNOT, esq.,

*President Board of Indian Commission, Pittsburg, Pennsylvania.*

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APPENDIX 29.

INTERIOR DEPARTMENT,

*Washington, December 19, 1870*

SIR: I have the honor to transmit herewith a letter dated 17th instant, from the Hon. Vincent Colyer, secretary of the board of Indian commissioners, in relation to the present condition of the Apache Indian tribes of New Mexico and Arizona, and asking that an appropriation of \$30,000 be immediately made to bring these Indians upon reservations, subsist, maintain peace, and promote civilization among them.

Feeling the necessity of putting an end to the disorders which have so long hindered the development of this portion of our country, I heartily concur in asking for this appropriation.

Respectfully, your obedient servant,

C. DELANO,  
*Secretary of the Interior.*

Hon. AARON A. SARGENT,

*Sub-Committee on Indian Appropriations, House of Representatives.*



DEPARTMENT OF THE INTERIOR,  
Washington, December 19, 1870.

SIR: I heartily concur in the recommendation of the Hon. Vincent Colyer, secretary of the board of Indian commissioners, asking that an appropriation of \$70,000 be placed in the bill providing for the current expenses of the Indian Department for the ensuing year, in addition to the \$30,000 asked for in my previous note of this date, as a special appropriation to meet immediate necessities, of promoting peace, bringing in upon reservations, subsisting, and civilizing the Apache Indians of Arizona and New Mexico, believing this method far better than continuing to endeavor to subdue them by military force, which, aside from its cruelty, would cost millions.

Respectfully, your obedient servant,

C. DELANO,  
Secretary of the Interior.

Hon. AARON A. SARGENT,  
Sub-Committee on Appropriations for Indians, House of Representatives.

WASHINGTON, D. C., December 17, 1870.

SIR: I have the honor to call your attention to that portion of the report of our board for the year 1869, page 55, relating to the condition of the Apache Indians of Arizona and New Mexico, who were then "gathered like a flock of sheep at a place called Cañada Alamosa, near Fort McRea, New Mexico, wishing to be placed upon a reservation, and asking that they should be attended to without delay, that many lives and much treasure might be saved."

Since that time a very limited amount of subsistence has been dealt out to a small portion of these Apaches, under the direction of the Department, by Lieutenant A. J. Hennisee, the agent of the tribe, sufficient, however, to demonstrate, beyond question, that if the appropriation had been larger, the whole of the Apaches of both New Mexico and Arizona might, long before this, have been brought into peaceful relations with the Government, and the rich and bountiful resources of these two great Territories have been thrown open to the tide of enterprising emigration awaiting to settle thereon.

In the earnest controversy upon the Indian appropriation bill between the Senate and House of Representatives, at the close of the last session of Congress, this important subject was overlooked and the appropriation left out of the bill.

There are no funds in the Treasury, at the disposal of the Indian Department, which can be used for this purpose; and inasmuch as both the reports of the Agent, Hennisee, and Special Agent W. F. M. Army, (who has lately returned from an extended official tour of inspection to the Apache tribes,) plainly show, that unless something be immediately done to continue the good work so hopefully commenced of bringing in and placing upon reservations these Indians, a golden opportunity will have been lost for settling this troublesome business.

In view of these facts, I earnestly ask that an appropriation of \$100,000 be recommended by you as necessary to promote peace, bring these Apaches of Arizona and New Mexico upon reservations, and subside and civilize them for the ensuing year; and that of this amount \$30,000 be asked for as a special appropriation to meet the immediate necessities of the Department.

Copies of the official communication of Lieutenant Charles E. Drew, the former agent, Lieutenant A. G. Hennisee, agent, of W. F. M. Army, esq., and of our board, relating to the subject, are herewith appended.

Very respectfully, your obedient servant,

VINCENT COLYER,  
Special Indian Commissioner and Secretary of the Board.

Hon. COLUMBUS DELANO,  
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., December 21, 1870.

SIR: In reply to your inquiry of this date asking whether there are or are not funds at the disposal of this Department which can be used to bring the Apache Indians of New Mexico and Arizona upon reservations and subside them, at the present time, I have to say, that there are no funds now on hand that can be used for the purpose stated without taking funds that will be required to carry on the several agencies in said Territories, and to defray the current expenses thereof up to the 30th of June next.

To collect and subside so large a number of Indians as the Apaches will incur an ex-



traordinary expense; hence the necessity of an appropriation to carry out the object contemplated.

Very respectfully, your obedient servant,

H. R. CLUM,  
*Acting Commissioner.*

VINCENT COLYER,  
*Secretary Indian Commission, present.*

I certify that the above is a correct copy of the letter received yesterday by me.  
VINCENT COLYER.

DECEMBER 22, 1870.

#### APPENDIX 30.

DEPARTMENT OF THE INTERIOR,  
BOARD OF INDIAN COMMISSIONERS,  
Washington, D. C., December 23, 1870.

SIR: The President directs me to call on you and see if the War Department cannot promptly issue an order for the officer commanding the Department of New Mexico to subsist the Apache Indians of New Mexico and Southeastern Arizona, now collected or soon to assemble at Cañada Alamosa, New Mexico, and, having him keep a correct account of the expense, charge the same to the Indian Bureau.

The Indian Department having no funds specially set apart for the purpose of subsisting the Apaches, and barely sufficient to carry on the current expenses of the Indian agency of New Mexico and Arizona, have, through our board, with the earnest indorsement of the Secretary of the Interior, applied to Congress for an appropriation of thirty thousand dollars for this special purpose. The House of Representatives passed the bill the day it was sent in, but Congress having adjourned over the holidays, it must await the action of the Senate until the 4th of January next.

The President says the War Department has the power to issue such an order, and if the Adjutant General of the Army, in the absence of the Secretary of War, will draw up the order and send it over to him, he (the President) will promptly sign it.

I have the honor to be, general, very respectfully, your obedient servant,

VINCENT COLYER,  
*Secretary of the Board.*

Major General E. D. TOWNSEND,  
*Adjutant General of the Army, War Department, Washington, D. C.*

The Acting Commissioner of Indian Affairs suggests, that inasmuch as a portion of the Apache Indians to be subsisted are the Mescaleros, of the eastern side of the Rio Grande, the order had better read, "near that river," and rations should be issued to the Apaches at such place as the superintendent of Indian affairs of New Mexico may designate.

V. C.

[Indorsements.]

ADJUTANT GENERAL'S OFFICE,  
December 23, 1870.

Respectfully referred to the Commissary General of Subsistence, with request for immediate return, with remarks.

E. D. TOWNSEND.

OFFICE OF COMMISSARY GENERAL OF SUBSISTENCE,  
December 23, 1870.

Respectfully returned to the Adjutant General, with the remark that under section 16 of the act of June 30, 1834, the President has authority to order the Indians herein mentioned to be subsisted from such Army provisions as can be spared without injury to the service. Such stores can be spared from supplies now on hand, or can be provided from the present appropriations for the subsistence of the Army without injury to the service.

A. B. EATON,  
*Commissary General of Subsistence.*

EXECUTIVE MANSION, December 23, 1870.

The Indians herein mentioned will be supplied by the Subsistence Department of the Army with such subsistence as can be spared without injury to the service, the cost to be refunded by the Indian Department.

U. S. GRANT.



## (APPENDIX 31.)

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,  
Washington, D. C., December 29, 1870.

SIR: Referring to your communication of the 23d instant, requesting that the commanding officer, district of New Mexico, be directed to subsist the Apache Indians to be collected or soon to assemble at Cañada Alamosa, New Mexico, the cost to be refunded by the Indian Bureau, I have the honor to inform you that the commanding officer of said district, to whom instructions were issued as requested, telegraphed that the articles required are fresh beef and corn, of which there is no surplus in the district.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
Adjutant General.

VINCENT COLYER, Esq.,  
Secretary Board of Indian Commissioners,  
Department of the Interior, Washington, D. C.

PARAJÉ, NEW MEXICO, October 31, 1870.

SIR: \* \* \* \* \*  
I believe that the reservation should be established, and that the Indians should be informed that the Government would feed and clothe them while they live upon it, and that those who do not go upon the reservation will be considered at war; also all who leave the reservation, temporarily, under any circumstances whatever. At present, and while the Department allows these Indians and Mexicans to live together, and feeds them only half a pound of grain, and half a pound of meat daily, they cannot be controlled.

I think it unnecessary to repeat any of the recommendations which I have made in regard to the plan of dealing with these Indians, or to forward more estimates of clothing, &c., but I trust that more food and a sufficient quantity of clothing to protect them during the coming winter may be issued as early as possible.

If I had, to-day, the food and clothing which I have asked for, I could have from 1,500 to 2,000 Indians at the agency before January 1, 1871. I believe that this agency is now the most important in the Territory.

Very respectfully, your obedient servant,

A. G. HENNISEE,  
First Lieutenant United States Army, Indian Agent.

Major WILLIAM CLINTON, U. S. A.,  
Superintendent of Indian Affairs, Santa Fé, New Mexico.

[Indorsement.]

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,  
Santa Fé, New Mexico, November 8, 1870.

Respectfully forwarded: I can add nothing to Lieutenant Hennisee's report, except to add that should he or his successor be furnished with sufficient means, and the other agencies, viz: the Navajoes, and the agencies at Cimarron and Abiquiu, be furnished with sufficient means to meet the actual wants of the Indians, that no fears of trouble from the Indians need be entertained; but should their wants not be supplied, I have no doubt but that they will supply themselves from the inhabitants.

WM. CLINTON,  
Major United States Army, Superintendent Indian Affairs for New Mexico.

*Report on the Apache Indians of New Mexico and Arizona, by W. F. M. Army, special agent for Indian service in New Mexico, November 21, 1870.*

ABIQUIU INDIAN AGENCY,  
Rio Arriba County, New Mexico, November, 1870.

SIR: I have the honor to report that since the 1st day of May, 1870, I have traveled in New Mexico and in the eastern portion of Arizona Territory 3,114 miles; and have seen and held councils with the chiefs, headmen, and braves of every tribe and band of wild Indians, except two parties of Mescalero Apaches, under Cadelle and Ne Paz, who are on the war-path; the former with the Comanches in Texas, and the latter in the southeastern corner of New Mexico; and I am fully satisfied that the wild Indians of New Mexico are now in a condition to be placed upon reservations so as to be civil-



ized, Christianized, and made self-sustaining, if the Government will only feed them and furnish something to clothe them until those objects can be accomplished. The question, so far as these Indians are concerned is, shall they be driven to robberies and murders for a subsistence; or shall they be fed and clothed till they can be placed upon reservations and made self-supporting?

After a thorough and prayerful investigation, I am convinced that if a war, with a cost of millions of dollars and the loss of the lives of hundreds of our citizens, results, the responsibility will rest upon the Government. I state this because I am satisfied that, with a proper liberal expenditure and a judicious management of these Indians, by a superintendent and agents who know and can manage them, a war will be averted. For the numbers, &c., of the wild tribes of New Mexico, see tabular statement herewith, marked D.

## UTES.

These Indians are now discontented, (the Utes,) and positively refuse to go to Cache-topa, and on a little creek which is called Rio los Pinos, where their agency has been located. The Capote and Weminutche bands are on the reservation and come to Abiquiu for supplies, with which they are not furnished adequate to their actual necessities. An agency should be established for them at the Rio los Pinos proper, which is on their reservation, and provision furnished to them, as provided by the treaty of March, 1868. They claim that the Government has broken the treaty, in that the agency is at Cachetopa instead of at Rio los Pinos, south of the mountains, both of which places are on the reservation and both within the limits of Colorado Territory.

I am fully satisfied that if the Government will make the proper and necessary appropriation to place the agency of these Indians on the Rio los Pinos, as provided by their treaty of 1868, and require the agent to live with them; forbid all citizens, except such as the agent may require or as may have business with him, from coming on the reservation; and positively prohibit the Indians from leaving the reservation, that these Indians can in a short time be made self-sustaining.

It is proper that I should state here that the dissatisfaction of these Indians induced them in the month of September to visit the Navajoes at "the Church," on the Navajoe reservation, where they prepared a peace with them and a coalition with the Navajoes against the whites. A large number of Navajoes were present, including the principal chiefs. The Utes said "that the whites intended to take the whole country and to kill all the principal men of the Navajoes." The Utes wanted to know why they (the Navajoes) allowed white men at Defiance and Wingate; and said "that they (the Utes) were going to drive all the white men from their country," and urged the Navajoes to procure guns and ammunition and prepare all their bows and arrows for service.

The Navajo chief replied, "that if the whites wanted to kill them, very well; they would remain at their homes; the whites were treating them well; they had no cause for war; if the Utes wanted war, they could fight it out themselves."

I have stated these facts to show the importance of appropriations by Congress this winter to continue to feed the Navajoes and Utes, and to carry out my recommendations in regard to the Navajoes, made in my report to the Indian Department, No. 4, dated July 19, 1870.

*Mohuache Utes.*—This band, located at Cimarron, are still dissatisfied, and, so far as I am informed, occupy the same position that they did when I made my report No. 5, dated September 2, 1870; next week I expect to see them, and will make an additional report in regard to them, if necessary.

The three bands of Utes who roam over the northern half of New Mexico, number as follows:

Ute Indians.	Warriors.	Women.	Children.		Total.
			Boys.	Girls.	
Capote band . . . . .	107	115	65	78	365
Weminutche band . . . . .	143	152	100	90	485
Mohuache band . . . . .	191	208	208	38	497
Total . . . . .	441	475	225	206	1,347



*Horses, mules, &c., owned by these Indians.*

Ute Indians.	Horses and mules.	Sheep.	Goats.
Weminuteche and Capote bands .....	1, 100	600	250
Mohuache band .....	350		
Total .....	1, 450	600	250

#### APACHES.

The northern half of New Mexico is roamed over by the Jicarilla Apaches. A party of them called to see me, and they represent that they are very poor and destitute, and that some of their chiefs and families have gone up to Cachetopa to get, if possible, a portion of the annuity goods sent there for the Utes. Something should be done for these Apaches; and I know nothing better than what I recommended in my reports Nos. 4 and 5, dated July 19 and September 2, 1870.

A reservation such as I have recommended, and a supply of provisions and some clothing for these Indians, if issued *nowhere but at the agency on the reservation*, would gather them; and the agent, if a man of judgment, could get many of them to go to planting next spring, as they are disposed to work, if encouraged.

The Jicarilla Apaches number as follows, viz: Warriors, 327; women, 349; boys, 86; girls, 102; total, 864. They own 548 horses and mules.

#### SOUTHERN APACHES.

The Southern Apaches, who roam over the States of Chihuahua and Sonora, of the republic of Mexico, and also in Arizona and New Mexico, but who most of the time make their home in the southwest corner of New Mexico, have, during the last ten years, shown themselves to be the most savage, barbarous, and unprincipled Indians on this continent. Their exploits in the way of murder, robberies, and torture, are unparalleled in the history of any other tribe of Indians. They have robbed mails, burned stage coaches and stage passengers and other prisoners who have fallen in their power; they have killed miners, and retarded the mining operations of one of the richest portions of the United States in gold, silver, copper, and other minerals. They are in number as follows:

Southern Apaches.	Warriors.	Women.	Children.	Total No. of Indians.	Horses.
Coyoteroes and Chilicons .....	340	672	466	1, 478	600
Mimbres band .....	280	370	210	860	400
Mogollon and Gila bands .....	130	180	230	540	260
Mescaleros .....	160	280	320	760	500
Total .....	910	1, 502	1, 638	3, 638	1, 760

#### RECAPITULATION.

Total number of Southern Apaches.	910	1, 502	1, 226	3, 638	1, 760
To which add Jicarilla Apaches ....	327	349	188	864	548
Total Apache Indians in New Mexico.	1, 237	1, 851	1, 414	4, 502	2, 308

The Southern Apaches have certainly been guilty of many atrocious acts, which have made widows and orphans and caused many to mourn the loss of friends and relatives, but they (the Indians) have not gone scot free, as their census fully shows, and they feel it; while they seek to justify their conduct by acts against them in 1860, when Apache Indians were hung and a number of children taken captives by a military officer, and in 1863, when their chief, Mangus Colorado, was shot at when seeking to make a peace, and his children taken prisoners. It is not my intention here to offer an opinion as to who was to blame, or to determine whether the Indians were justified in what



they acknowledge to be their bloody retaliations for the wrongs they thought they had suffered from the white man.

It is my duty rather to report to you that I have had interviews with the chiefs and headmen of all these bands, (except Cadette and José Ne Paz, of the Mescaleros,) and that I spent three days with Cochise, who claims to be the head chief of all the southern bands of Apaches, as successor to Mangus Colorado, his brother-in-law; and as I stated in my report No. 7, dated Fort Craig, October 24, "that all these Indians now desire peace," except those portions of the Mescalero band under Cadette and José Ne Paz, and that Cochise believed that he could induce them to submit to the will of the Government. Cochise is the Indian that Lieutenant Colonel Roger Jones writes about on page 223, Indian Report 1869, in which he says:

"Cochise, the chief of the band of Coyoteris, formerly known as the Cherecahin (Chilcous) Apaches, from the mountains in which they once lived, is to-day reckoned the ablest and most vindictive Indian in Southern Arizona, and was well known to a number of officers of the Army serving in that country prior to 1860, up to which time he had been friendly to the whites, and his services frequently brought into requisition for the recovery of stock, captives, &c., which had been stolen by the bands; but in that year an ill-advised attempt to take him and his family prisoners with the view of holding them as hostages for the return of property stolen by other Indians, caused him to declare war to the knife, which he has carried on with such success and ferocity as to entitle him to the credit of having killed more whites than any other chief in the Territory south of the Gila."

This chief and 21 other headmen, with their people, to the number of 790, met me in the valley between the San Mateo Mountains and the Mimbres Mountains, and Cochise then, in behalf of all these Indians, said "that they wanted peace; that the Apaches want it, so that the whites and Indians can travel where they please, build their fires and lie down in peace; they want to be again as they were when Mangus Colorado was their chief, before he was killed, when Dr. Steck was their agent, and they raised corn, wheat, pumpkins, and chili, at Mangus Colorado's ranch on the Gila River; that he had been to Camp Thomas and did not like it there; he had come down here to hear what the Great Father had to say; that since 1860, they had been driven from place to place, and had to hide their families in the arroyos and mountains, and in war they had suffered much; many of their braves were dead, and they had now more women and children than they could feed and protect while at war; they, therefore, wanted peace, and would talk and act straight, quit stealing and behave themselves, if the Government would talk and act straight with them."

A comparison of the census of these Indians with that of the Pueblos, will show the different results between hostile Indians at war, and the agricultural Pueblo Indians at peace. I told them all that you instructed me clearly and plainly, and they agreed to endeavor to live at peace till I could make known their wants to the Government, and Cochise said that he would do all in his power to keep the Indians peaceable.

These Indians should now have a reservation or reservations selected for them so as to have farming operations commenced early next spring; and in the mean time they should be fed and clothed as I have recommended in my report No. 7. If they are not fed liberally, the result will be that they will be driven to desperation; they will then continue to steal, and it will end in the extermination of the Indians, and a war at a cost of millions of dollars, and the loss of many valuable lives and of much property to our citizens.

There are six localities proposed for reservations for these Apaches: First, near Camp Thomas, in Arizona. I have not visited this reservation in person, but have learned that it is a suitable place for the Indians, being out of the way of the settlements, and that it has abundance of arable land, wood, and water. The only objection to it is, that it would there be very expensive to obtain food and other supplies for the Indians till they can be made self-sustaining.

2d. A reservation on the Gila River, where Mangus Colorado lived, and from which he was driven by the rebel Texans in 1861.

3d. A reservation on the Mimbres River, which has not been in use for several years. As the Gila reservation is contiguous to the Pinos Altos mining region, and is in the midst of miners and settlers, and Mimbres reservation is near Liber Flats, and is surrounded by a rich mineral country, I would recommend that they be declared void as reservations, and be opened for settlement by citizens for farming and mining purposes.

4th. A tract of country, being the valley between the San Mateo and Mimbres Mountains, commencing two miles north of the Hot Springs, and running thirty miles down the valley, and twenty miles in width from the San Mateo Mountains to the Mimbres Mountains, and known as the Cañada Alamosa. There are about 300 acres under cultivation by citizens; about 2,000 acres, by judicious management, could be irrigated, and about 800 acres can be cultivated without irrigation; plenty of wood and water, with abundant grama grass on the mountain slopes, to supply every demand of the whole Southern Apache tribe.



There are living on this land 52 families, 46 residences, 2 Mexican mills, 193 persons. They value their land at \$47,518, and their personal property at \$9,635; and the houses, mills, and improvements, at \$6,430.

The persons who occupy Cañada Alamosa have taken no steps to secure a title from the Government to the land they occupy, and if it is determined to make this a reservation for these Indians, they will have to be moved, (as I believe they have extensively engaged in trading whisky, gunpowder, &c., to the Apache Indians,) and to do this their improvements could be purchased for about \$7,000, and a small sum to each, as a payment for the slight vested right that they may have in the land, on account of having occupied it for a few years.

5th. A reservation at, and to include, the military reserve at Fort Stanton, in the county of Lincoln. This reservation was recommended by Lieutenant A. G. Hennisee, agent for these Indians, in his report to Superintendent Clinton, dated October 6, 1870. (See copy herewith, marked —.) It contains about 200 acres of farming land on the Rio Bonito, below Fort Stanton; a few small fields above that post that would do for wheat culture; 200 acres at Crook's Ranch that could be cultivated without irrigation, and 1,000 acres of excellent land on Rindoso River, between Dowling's mill and the mouth of Eagle Creek, can be cultivated. This reservation contains grazing for 10,000 head of cattle, winter and summer. It is bounded by natural boundaries, which should include the entire valley of each river to prevent persons from settling, which they cannot do if not allowed to use the water. Bonito River is about 10 feet wide and 8 inches deep, Rindoso River about 15 feet feet wide and 1 foot deep, and Eagle Creek 6 feet wide and 6 inches deep; all clear cold mountain streams, containing trout. There is also an abundance of timber on the reservation.

There are few, not more than four citizens, who have purchased from the Government and have paid for lands on this reservation, not to exceed, in all, one section, (640 acres,) which, if a reservation is established here, should be purchased, so as to leave the reservation free from the claims of citizens.

The proposed reservation would, in my opinion, suit for the Mescalero Apaches, who would prefer it to any place west of the Rio Grande; and I think that Cadette and his bands would consent to live there, but all the other bands, from what they told me, including Cochise, would prefer a place west of the Rio Grande, and could not be induced to locate there.

6th. A reservation on the Tularosa River, west of the Rio del Norte (Rio Grande,) and about 80 miles west of the town of Socorro, Socorro County, New Mexico. I cannot ascertain whether this proposed reservation is in New Mexico or in Arizona. One thing is certain; it is a suitable place, being outside of all present settlements. A reservation 40 miles square here would be the best place, in my judgment, for all the Southern Apaches except the Mescaleros, as the Indians themselves, I believe, would prefer it to any other location, and as it would place them in a position to be entirely free from the vile whisky-sellers and more wicked traders in ammunition, and afford a place where they would have sufficient land for cultivation and pasturage, with wood and water in abundance, and until they can sustain themselves supplies could be obtained from the Rio Grande Valley at as moderate prices as at any other of the places proposed.

It is proper to remark here that Doctors J. T. Harnet and A. D. Thorn, with twenty-four citizens, gave notice that they wished to take homesteads in this country. As they have not yet settled, and the land has not been surveyed, and their notice to the register of the land office was not legal, they have been informed that they should delay their settlements till it is decided that they can legally locate in that country.

The object in placing these savage Apaches on reservations outside the settlements, and away from all the wicked traders who encourage them to steal, and subsisting them there until they can be self-supporting, is, that it is thought to be the only policy which is likely to prove successful in civilizing these Indians, and thereby preventing their constant wars against the whites, and finally their utter extermination. I therefore recommend the establishment of two reservations as follows, viz:

1. A reservation for the Mescalero Apaches to be located on the Rio Feliz, east of Fort Stanton in New Mexico, 20 miles square, which will be ample in every respect for the 760 Indians of this band.

2. A reservation 40 miles square for the Coyotero, Chilicous, Mimbres, Gila, and Mogollon bands of Apaches, and for any other Apache bands who by mutual consent may agree to occupy it, to be located on the Tularosa River, or at other suitable locality in their country in the Sierra Blanca (White Mountains,) and west of the Rio del Norte (Rio Grande,) and west beyond the Socorro Mountains in the county of Socorro, New Mexico.

I would respectfully recommend that *no treaty* be made with those Indians, but that the reservations be surveyed and the agency buildings be erected, and that then the Indians be told that if they are found off their reservations they will be considered as at war and be dealt with accordingly, and, till the reservations are thus determined upon, that these Indians be fed, if they remain at peace, at Cañada Alamosa agency. The sale of whisky and ammunition to these Indians by citizens and certain Pueblo



Indians and the consequent constant murders and robberies can only be prevented by the isolation of the Indian from the settlements. During the past summer every effort has been made by the agents and military officers, with the coöperation of the United States district attorney, to have the guilty citizens punished, but without success. Owing to the peculiar position of things in this county, we who have endeavored to prevent this wicked traffic have failed, and some of us have had our lives threatened, while others, both agents and military officers, are now harassed in our courts and sued for damages, and in one case the agent was sentenced to three months' imprisonment because he attempted to stop the sale of whisky to Indians, and endeavored to compel the traders to give up the stolen animals they had obtained from the Indians.

*D.—Wild tribes of Indians of New Mexico.*

Tribes.	Number of warriors.	Number of women.	Number of children.	Total.	Horses.	Sheep.	Goats.	Citizens living and mining on Indian reserves and in Indian country.			
								Number of persons.	Value of land.	Value of improvements.	Value of personal property.
UTE TRIBE.											
Capote band.....	107	115	143	365	} 1,100	600	250	25			
Weminutche band....	143	152	190	485							
Maquache band.....	191	208	98	407							
APACHE TRIBE.											
Jicarilla band.....	327	349	188	864	548			193	\$47,518	\$6,430	\$9,635
Coyoteros and Chilicons bands.....	340	672	466	1,478	600						
Mimbres band.....	280	370	210	860	400						
Mogollons and Gila bands.....	130	180	230	540	260						
Mescalero band.....	160	280	320	760							
Navajoes, as enumerated by Lieut. F. F. Bennet.....	2,600	3,000	2,900	8,500	8,000	15,000	2,300				
Total.....	4,278	5,326	4,745	14,349	10,908	15,600	2,550	218	47,518	6,430	9,635

Very respectfully, your obedient servant,

W. F. M. ARNY,  
*Special Agent.*

Copy forwarded to Vincent Colyer, secretary, for information of Board of Indian Commissioners.

APPENDIX 31½.

INVITATION FOR COCHISE, CHIEF OF THE APACHES, TO VISIT WASHINGTON.

BOARD OF INDIAN COMMISSIONERS,  
*Washington, D. C., January 7, 1871.*

SIR: Recent reports from the agent of the Apaches in New Mexico, a copy of one of which I inclose, show that Cochise and other headmen of the Apaches of Arizona and New Mexico have visited the agency and expressed a desire to come in and be at peace.

Remembering the great good which resulted from the visit of Red Cloud and other Sioux chiefs to the East, and considering the loss of life and expense which the war with the Apaches of Arizona has cost us, I respectfully submit for your consideration the question whether it would not be wise and economical to invite Cochise and his braves to visit Washington and arrange terms of peace.

Should the proposal meet with your approval, the honorable Commissioner of Indian



Affairs can readily obtain the funds from Congress and our board will coöperate with him most heartily in making this affair a success.

With great respect, your obedient servant,

VINCENT COLYER,  
*Secretary of the Board.*

The President.

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., January 14, 1871.*

SIR: I have the honor to transmit herewith the following papers: Copy of a letter addressed to William Clinton, superintendent of Indian affairs for New Mexico, with an indorsement thereon by Mr. Clinton, who referred the same to George W. Getty, colonel of the Third Infantry, and with Colonel Getty's indorsement thereon.

This letter gives this Department information that the Apache Indians are impressed with more friendly feelings toward this Government than heretofore manifested, and also that they desire to be placed upon a reservation, with a view to cease their nomadic habits and enter into friendly relations with the Government.

This letter has been referred to the Indian commission, and was answered by a letter from Vincent Colyer, esq., secretary of the board of Indian commissioners, dated January 7, 1871, and addressed to the President of the United States, in which Mr. Colyer recommends that the Apaches be invited to this city, with a view to the negotiation of terms for peace and friendship. The letter also suggests that a proposal be made to Congress for an appropriation to meet the expenses of such conference.

Mr. Colyer's letter, and the letter from Mr. Clinton with its indorsement, were referred to the Commissioner of Indian Affairs, who, under date of January 10, approves the suggestion of Mr. Colyer, and recommends that an effort be made to procure the appropriation from Congress. Copies of all these documents are herewith transmitted.

The whole subject has been presented to the President, who approves the suggestions to which I have already alluded.

I have the honor, therefore, respectfully to request that this subject receive the attention of the Committee on Indian Affairs of the House of Representatives, and I deem it also proper to add that in my opinion it would be wise to make the required appropriation, \$50,000, for the purpose of accomplishing the objects hereinbefore referred to. The Apaches, heretofore, have been unfriendly and disposed to war with the Government. It is very desirable that the expenses necessarily resulting from their hostility should be avoided. It is also desirable, if possible, to bring them under the influences of civilization, and it seems to me that if the appropriation suggested be made, these laudable objects will be accomplished.

Very respectfully, your obedient servant,

C. DELANO,  
*Secretary.*

Hon. SIDNEY CLARKE,  
*Chairman Committee Indian Affairs, House of Representatives.*

#### APPENDIX 32.

##### CONFERENCE WITH MISSIONARY SOCIETIES.

*The Indians—Important council in their behalf—The peace commissioners and missionaries in conference—All denominations represented—Interesting topics discussed—Measures agreed on for Indian amelioration.*

An important Indian council was held on the 13th January, 1871, called together by the board of Indian commissioners now in session in this city. There were present of the board Mr. Brunot, of Pittsburg; R. Campbell, of St. Louis; John V. Farwell, of Chicago; John D. Lang, of Maine; William E. Dodge, Nathan Bishop, and Vincent Colyer, of New York; George H. Stuart, of Philadelphia, and Edward S. Toby, of Boston, being a full board; and, by invitation, H. A. Spalding, the veteran missionary of the Nez Percés of Idaho, Presbyterian; Father De Smet, Roman Catholic, (a veteran Jesuit missionary of the Upper Missouri;) Thomas Wister, of Philadelphia, (Orthodox Friend) who was imprisoned under General Taylor for his attacks on the Indian ring under Taylor's administration; Benjamin Tatham, New York; John Garrett and Mr. Earl, of the Orthodox Friends; Samuel Townsend, of Baltimore, of the Hicksite Friends; Dr. Harris, secretary of the Methodist Missionary Society; Dr. Ferris, of the Reformed Church; Dr. Whipple and General Howard, of the American Missionary Society; Dr. Lowe, of Boston, and Rev. Mr. Hinkley, of this city, of the Unitarians; Colonel S. S. Tappan, Secretary Delano, Commissioner Parker, and Hon. William Welch, were present.



The chairman opened the meeting by proposing the question: "What measure of responsibility belongs to the religious body that nominates agents?"

A general discussion ensued.

The second question was, whether Western men residing in the neighborhood of the reservations only should be nominated as agents.

Rev. Dr. Ferris stated that the reservations in Arizona had been committed to the care of his society by the President, and the society felt that if they were to be held responsible for the moral conduct of their agents, they must nominate men with whom they were familiar, and they therefore had to take men from east of the Mississippi.

The general sense of the meeting was, that the society should be left free to choose from either section.

The following resolution was then adopted:

"That, in the opinion of this conference, it is necessary that religious or benevolent associations which are called upon to recommend Indian agents shall be at liberty to select such agents as they have full confidence in, and shall be willing to become morally responsible for, without reference to the locality of their residence or their political opinion, provided they shall be restrained from using their positions for partisan purposes."

The third question was: "Is it good policy to have ministers of the gospel as agents?" The general sense of the meeting was against the practice, but that it should be left open.

The following resolution was then adopted:

"That, in the opinion of this meeting, it is very desirable that the agents of any religious association should be constantly watched by the association, and its aid invoked in promoting the civilization and Christianization of the Indians.

"That in the event of a person recommended as an Indian agent not being satisfactory to the President or to the Senate, it be respectfully requested that the religious body authorized to make the recommendation be notified immediately and asked to suggest another person, in accordance with the practice of the Department."

The next question was, "Should school-houses on reservations be built at the expense of the Government or by the missionary societies?"

The majority declared that the expense would be too heavy for the missionary societies to undertake. Mr. Welch was, however, in favor of it.

The following was then passed:

"That this conference, composed of the President, Board of Indian Commissioners, and the official representatives of the religious bodies invited by the Government to coöperate with the administration in its efforts to civilize and Christianize the Indian race, in recommending agents for the management of the different tribes, regard the policy of the President as one of the most philanthropic measures that the Government has ever undertaken; and that having faith in its success, we heartily commend this policy to the good judgment and cordial coöperation of the people of the United States."

Secretary Delano expressed great gratification at the general character and unanimity of the meeting. He said the President's policy was an admirable one, but had a great work to do. He said: "The agents sent to the Indians are your own, and we inter that they shall be emphatically your own. The only right we reserve is the right instantaneous dismissal where they are unworthy."

The following resolution was passed:

"Resolved, That as one of the most effective means of creating a correct public opinion in support of the President's policy in reference to the Indians, and of deeper convictions of moral accountability to Christianize them, it is desirable that voluntary agencies be formed in the larger commercial centers in the country, as has already been done in New York, Massachusetts, Oregon, and elsewhere."

Commissioner Toly warmly advocated the last above-mentioned resolution, which occupied

The meeting having transacted the business immediately before it, the time from 1 p. m. till dark, passed the following resolutions:

"In the opinion of this convention, it is important that the military officers stationed in any agency shall be in harmony with the policy of the President of the Government

"That this conference freely sympathize with the determination of the Government to secure to the Indians their reservations, and protect them from encroachments on those lands."

*Indian Peace Commission—Convention in the Interior Department—Important measures proposed and discussed—Address by Secretary Delano.*

[Special dispatch to the New York Times.]

WASHINGTON, January 13.

The board of Indian commissioners, generally known as the "Indian peace commission," together with the official representatives of the several religious associations which have, at the request of President Grant, suggested the names of the Indian agents under whose supervision the active duties of the Bureau have lately been



executed, met in the Interior Department this morning, and, after paying a brief visit to the White House, during which they presented their report to the President, reassembled for general consultation. There were present representatives of every denomination, including the Roman Catholic and excepting the Jews, who have been interested in the movement. They at once resolved themselves informally into a convention, and proceeded to discuss the question of the responsibility of their several associations for the acts of their agents. The Orthodox and Hicksite Quakers, through their delegates, made the best showing as regards the completeness of the system under which they operate, for they not only employ agents at their own expense, becoming sureties on their bonds, but have established supervisory agencies, the duties of which have been to travel and make thorough inspections of the condition of affairs in the districts under their charge. Opinions were freely expressed regarding the question, suggestions made and experience related, which finally resulted in the adoption of a resolution declaring it to be the duty of all organizations making recommendations for appointment to assume a moral responsibility for their agents, and providing that they shall refrain from the use of their positions for partisan purposes. The most important incentive to the adoption of this resolution was a desire to combat the influence of the politicians to destroy the present Indian policy of the Government, by statements that the Christian agents are really politicians in disguise. Another was to obtain a declaration from those interested regarding the propriety of appointing agents from localities far distant from the scene of their active duties. The result is that the associations will now select any one they please, under the restriction of moral responsibility for their acts. Another subject discussed, but on which no action was taken, because the foregoing resolution virtually settles it, was the propriety of appointing ministers of the gospel. The only objection urged against it was the probability that persons of that class could not always be found possessed of sufficient mercantile experience or commercial education to make them efficient officers. A second resolution was adopted, advising the establishing of inspecting agencies, and a discussion followed regarding the propriety of requesting the Government to inform associations whose agents were to be suspended or removed of that fact, and allow them to make investigations. Secretary Delano appeared in their midst at this juncture, and effectually disposed of this question by asserting that the Government would prefer to act without interference from outside parties under such circumstances. Some desultory conversation followed relative to a proposition requesting the Government, in case of a rejection of a candidate by either the President or the Senate, to inform the society which had made the recommendation of that fact, and finally a resolution embodying the request was adopted, to which was appended the statement that it is at present the custom of the Interior Department to do so. The only reason given for the adoption of this resolution was that its publication would notify outside parties that their efforts to accomplish the defeat of nominations sent to the Senate would only result in the nomination of some one else with the same recommendations. A proposition demanding that the Government should construct school-houses, churches, and other necessary buildings, or give titles of the lands on which they have been built to the associations or have erected them, was then submitted, but without action was referred to the Commission proper for consideration.

It had been disposed of, Secretary Delano addressed the convention briefly, of its friends to accomplish the civilization of our Indians, and laid great stress on the fact that to President Grant, and to no other person, belongs all the credit for having inaugurated the successful policy under which they have operated. He assured them that their recommendations would be accepted as all-sufficient, and that as soon as the nominations should be made; "but," he added, "the Administration will reserve to itself the right to chop off the political heads of your friends whenever occasion may require it, and you must not complain of this. We treat congressmen in the same way; that is, we accept their recommendations for nominations, and when their candidates are in office, we reserve to ourselves the right to judge whether they shall remain in their places. I do not expect that you will always make good selections. I have not always succeeded in doing that myself. But you must use every endeavor to do so. It is not sufficient alone that a man should be a good Christian brother; he must have health, energy, and experience in business affairs; he must be possessed of characteristics calculated to make him actively efficient in his official, as well as his religious, relations with those under his charge."

Having concluded this pointed speech, the Secretary withdrew, when a resolution was presented and adopted, cordially indorsing the President's policy and approving the philanthropic efforts of the Government to christianize the Indians. Reference having been made to the efficiency of commission organization during the war, it was suggested that a similar effort might be made available for the object in view. Finally a resolution calling upon the friends of the Indians in the several moral and commercial centers of the country to establish societies for the collection of money and the pro-



mulgation of religious truths among them, like those which are now in successful operation in New York and Massachusetts, was presented and adopted, when the convention adjourned. Throughout the whole proceedings frequent allusions were made to President Grant in terms of warmest praise, and the evident feeling of every member present toward him was that of grateful friendship and affection.

## APPENDIX 35.

## OCKMULGEE COUNCIL—INDIAN TERRITORY.

Tahlequah, the capital of the nation, contains about three hundred inhabitants. There are several hotels and boarding-houses to accommodate the legislature when in session. The principal hotel is a large two-story brick. There are no church buildings; all denominations worshipping in Masonic Hall. A little outside is the Baptist Mission house, established by the American Baptist Home Mission Society of New York. The First Baptist Mission was established in 1821, while the Cherokees lived in North Carolina, by the Board of Foreign Missions, and was afterwards transferred to the Home Mission Society. The building is a fine two-story brick, and is in charge of the Rev. John B. Jones, who has been recently appointed United States agent of the Cherokees.

A number of members of the upper and lower houses board at the Mission house. There is a post office, and a mail three times a week each way. There are three stores and a weekly newspaper, "The Cherokee Advocate," which is published in Cherokee and English by W. P. Boudinot, a native.

On a commodious elevation outside the town are seen two separate institutions in an incomplete state, for educational purposes.

The State capitol was erected at a cost of \$20,000; it is of brick, situated in the centre of the public square, and its appearance is that of a first-class court-house in the interior counties of Missouri and Illinois.

The upper and lower houses, analogous to our Senate and House of Representatives, have halls on the lower floor; the supreme court room, office of the treasurer, and various committee rooms are on the second floor, as is also the executive chamber, in which is a picture of William Penn making a treaty, and a likeness of George Guess, the inventor of the Cherokee alphabet. This body was having an extra session, called by Chief Downing to finish up business left undone by the regular session, which closed on the 6th instant.

On the day we arrived the new session commenced and organized. The regular sessions are limited to thirty days, but the called sessions are unlimited. The senate is composed of eighteen members, two from each of the nine districts into which the Territory is divided; Captain Archibald Scraper is the president.

The council, or lower house, is composed of twenty-nine members, according to the present apportionment; the two districts of Tahlequah and Illinois, for instance, sending each four members; the other seven districts send three members each. J. Gro-Mills is the present speaker. Most of the speaking in the lower house is in the Cherokee language, but the upper house uses Cherokee and English about equally.

## RECEPTION OF THE COMMISSIONERS.

To-day Commissioners Campbell and Lang were invited to visit the executive chamber, and the invitation was accepted. Mr. Lang remarked the contrast, being twenty-eight years ago participated in a council which took place in a log-house session. Chief the present capitol. On entering the senate chamber, that body was present. Mr. Scraper, a dignified looking officer, occupied the chair. The chamber was dressed in buckskin; and one of the officials present wore a blanket. The chamber resembled a Congregational chapel, with a modest-looking pulpit for the president; two tables in front for the secretaries, the members being seated on chairs. The preliminary proceedings were conducted with perfect decorum and according to parliamentary usages. No such machinery as the "previous question" is in vogue. The session was opened with prayer in Cherokee, by a senator kneeling by his chair.

Some action was taken in reference to a deceased person, when Mr. Alex. Hawk arose and moved that a committee be appointed to visit the lower house that the two commissioners were present, and invited them to visit the senate chamber as a body. The motion was carried, and a committee appointed. In a few minutes the members of the other house, numbering twenty-seven, entered the senate chamber in a body, and were provided with seats.

The president addressed the commissioners, who were seated on the left, stating that the other house was present and they would be glad to hear from them.



## COMMISSIONER CAMPBELL'S SPEECH.

Commissioner Campbell entered the desk, and said that he felt grateful for the honor done them in inviting them to be present. He and Mr. Lang were on their way to the council, and felt exceedingly gratified in seeing such an intelligent body, illustrating as it did the progress made by the Cherokees from the "wild state," as Colonel Adair, on a former occasion, had expressed it. The object of the commission is to visit the different tribes of Indians, and see if they have been properly dealt with by the agents of the Government. He hoped to see the example set by the Cherokees have its effect upon the wild tribes, and hoped ere long to see all the latter assembled in council, as the Cherokees. When they went out to see these wild tribes they should take pleasure in holding up for their imitation the example before them. He concluded by stating that the commissioners were on their way to Ockmulgee, and thanked those present for their kind attention.

Commissioner Lang then came forward. He said he felt happy in having the privilege of meeting so many of his red brethren. It was about twenty-eight years since he visited an assembly like this, in this place, where their great men of that age, John Ross, Jesse Bushyhead, Young Wolf, and others met in a little log-house built on this very spot. They have since gone to their long homes. During that visit he held councils with twenty tribes of Indians, from the north to the south. Many years have rolled away since that time, but he had never forgotten his Cherokee friends. He had known their history from reading it, and his sympathies had been with them since they started from Alabama and Georgia. When he looked around and saw this intelligent body, with a full reliance on the Great Spirit that watches over us, he felt that his belief in an overruling Providence was strengthened. He knew that the land they occupied was once thought not fit to live upon, yet God has raised them up by his supporting hand and made them what they are. While there were bad-minded men who had no sympathy for the Cherokees, he knew there were thousands and hundreds of thousands in the East whose hearts were warm in sympathy for them. The Cherokees, he said, had annihilated the idea which prevails among white people, that nothing can be done to improve the Indian—that he will be an Indian still.

Mr. Lang spoke at some length, proffering some excellent advice on their Christian duties, and concluded by assuring his auditors that his heart was warmed up in sympathy by thus meeting them again, after nearly thirty years. The commissioners were greeted with applause, their off-hand remarks having been interpreted by Mr. Jones.

The presiding officer, Mr. Scraper, said that he was much rejoiced for these expressions of kindness and sympathy by the commissioners, and he would not forget them. He had not been accustomed to be addressed in that style, and he could make no oration, but would not forget what was said as long as he lived. He said he would throw the doors open for any member of either house to respond to the commissioners.

Chief Downing then rose, and expressed in warm terms the satisfaction he felt in listening to the remarks of the commissioners. He then gave to the joint session the history and the objects contemplated by the President in the appointment of commissioners. He was greatly obliged for the words of sympathy and comfort expressed by the commissioners. He informed the latter that all were gratified by this token of good feeling and sympathy.

On the suggestion of the chair, all the members of both houses then passed around in single file, and warmly shook hands and greeted the commissioners in person.

The session was a most agreeable one and there was a universal desire expressed that the commissioners remain over till the next day. After much hand-shaking, and unmistakable expression of good feeling, the commissioners took their leave.

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## OCKMULGEE.

Ockmulgee, the capital of the Muskegee Nation, where the general council was in session, is a small town, containing four large-sized frame buildings, used as stores, and about fifty log-houses, with a public square, in the center of which stands the capitol, a double block-house open through the center, and with both wings under one roof. The legislative body, which holds an annual session in this building, is composed of an upper and lower house, called the house of kings and the house of warriors. The general council was held in the house of kings, and on the day of our arrival had adjourned over all the Monday ensuing. This council was assembled in accordance with the provisions of the twelfth article of the treaty made and concluded in the city of Washington in the year 1866, between the United States and the Cherokee Nation, and similar treaties between said United States and the Choctaw and Chickasaw, Muskegee, and Seminole tribes of Indians, of the same date. The powers of the council were clearly defined. It contemplated the establishment, for many purposes not inconsistent with the tribal laws and existing treaties with the United States, of a territorial government, with the superintendent as governor, the Territory being named Oklahoma.



The first meeting of the council was held September 27, with Superintendent Hoag as president. Delegates were present from the following tribes: Cherokees, Muskegees or Creeks, Ottawas, Eastern Shawnees, Quapaws, Senecas, Wyandottes, Sacs and Foxes, Confederate Peorias, and Absentee Shawnees. An adjournment took place from time to time until a quorum was present. Rules for the government of the council, in the transaction and order of business, were adopted, and standing committees to report on the following subjects were appointed, viz: committee on relations with the United States; on international relations; on the judiciary; on finances; on education and agriculture, and on enrolled bills.

It was resolved that when the council adjourned it would be to meet again on the first Monday in December.

Among the important resolutions adopted was the following, extending an invitation to the wild tribes:

*Resolved by the general council of the Indian Territory,* That there shall be conveyed to the Comanches, Kiowas, Arapahoes, Cheyenne, Caddo, Wichita, and other tribes of Indians living on the Plains, assurances of the friendship and kind feelings of the nations and tribes represented in the general council, and an expression of their earnest wish that relations of peace may be established between them and all men of whatever race or color.

*Resolved further,* That Ok-tar-har-sars-hays be authorized and requested, by the general council, to convey the foregoing resolutions to said Indians, and to earnestly invite them to meet us in general council at our session in December next.

On motion, the secretary was requested to send a transcript of the resolutions to said Indians, with names of all the delegates at this council attached, designating the tribes to which they belong.

The council adjourned, and convened again on Monday, December 5.

Besides the tribes already mentioned represented at the meeting in September, delegates appeared and were admitted to seats from the Choctaw, Chickasaw, Seminoles, Great and Little Osages.

Additional rules for the government of the body were adopted, and the standing committees enlarged.

On the 10th instant Mr. Campbell Leflore, of the Choctaw delegation, from the committee on permanent organization, submitted the following report:

The special committee, to whom was assigned the duty of making a report upon the resolution of the general council regarding the permanent organization, respectfully state that they have given the subject such consideration as was in their power. They regard the organization of the Indian Territory under any form of government as of the gravest importance to all the people who inhabit it. The large and invaluable interest in lands and money which belong to the nation and tribes therein; the provisions of their several treaties with the United States; their distinct forms of government, and franchises arising under them; their different languages and diversified conditions, present, severally and combined, interests not to be too lightly estimated, nor too hastily disposed of, in arranging the terms of any organization that may be designed to blend in one harmonious system the whole of them, at the same time that it preserves a just and impartial regard for their respective rights. The opposition of all Indians to any form of territorial government that has been proposed by the Congress of the United States is too notorious to require any comment; it is firmly and ineradicably imbedded in their very nature. They cling to their homes, to their laws, to their customs, to their national and territorial and personal independence, with the tenacity of life itself. In their sentiments your committee fully concur. And while the leading powers invested in this general council pervade all the treaties negotiated in 1866 by the United States with the different nations here represented, each one of them grants some important concessions, or retains some important right not to be found in others.

In some respects they merely shadow dimly the duties of this council, instead of clearly defining its powers and authority. The responsibilities of inexperienced legislation, instead of being simplified by them, is made more difficult and complex. As the best means of removing these obstacles, of observing a fair deference to the sentiment of our people, and at the same time of preserving our race and perpetuating unimpaired the rights of all—the weak, the strong, those less advanced, and those who have made further progress towards civilization—your committee are of the opinion that the organization of the people here represented, and such as may hereafter unite with them, should be a government of their own choice. It should be republican in form, with its powers clearly defined, and full guarantees given for all the powers, rights, and privileges respectively now reserved to them by their treaties. They, therefore, respectfully recommend that the council proceed to form a constitution for the Indian Territory, which shall conform to existing treaty stipulations, provide for executive, legislative, and judicial departments, and vested with such powers only as have been conceded to this general council, and not inconsistent with all the rights reserved to each nation and tribe who were parties to the treaties of 1866, and also



with the final provision that such constitution shall be obligatory and binding only upon such nations and tribes as may hereafter duly approve and adopt the same.

After the reading of the above report, the council adjourned till Monday, in order to give time for deliberation on so important a measure.

#### INTERVIEW WITH MR. ROSS.

*December 10.*—This evening the commissioners had an interview with William P. Ross, a leading member of the Cherokee delegation. Mr. Ross, in response to queries from the commissioners, stated very clearly many points of interest regarding the Cherokees, of which the following contains some brief notes.

He said the number of white men in the Cherokee Nation is about 500. A number of white women are intermarried with Cherokees, but not in the same proportion with white males. There were, he said, forty-eight common schools in operation during the past year, supported by the interest of funds invested in the United States stocks, the Government acting as trustee. The annual interest of the school fund proper is between \$30,000 and \$35,000. An annual income of \$11,000 is set apart in the same way for the support of orphan children, of which there are between 5,000 and 6,000 in the nation. The general sentiment of the country is in favor of schools. There was a demand for more schools during the past year than the council has been able to supply. These applications come from all classes of the Cherokee people. The council has several petitions before them, written and signed in Cherokee, asking for more schools. The general attendance, as reported by Spencer S. Stevens, the school superintendent, is rising of 1,100. The average attendance is nothing like so large, arising from the disinclination of parents in enforcing their authority as they should, and the bad condition of the school-houses. One obstacle also to rapid progress arises from the necessity of the native children having first to learn English, that being the only language taught. He said that out of their school fund the Cherokees pay the expenses of the superintendent and teachers, and books are furnished gratuitously to all who wish to attend. The present council proposes to set apart, out of the proceeds of the sale of lands west of ninety-sixth meridian, \$100,000 to found an orphan asylum, on the plan of an industrial school, and also to found a home for the indigent blind, insane, and aged persons.

In reply to a question by Mr. Campbell, he said that the relations existing among the civilized tribes of the Indian Territory were of an amicable character. A resolution, he remarked, had been adopted at the first meeting of the general council, now in session at Okmulgee, inviting the wild tribes of the plains to come here and establish relations of amity with the civilized tribes. The resolution, with a little tobacco, was sent to all the wild tribes in the western part of the Territory. He stated that while there was a difference of opinion on political subjects, yet there was no bitterness or ill-feeling that has led, thus far, to any acts of hostility or violence. His impression was that these tribes are gradually improving in all the arts of civilization. One obstacle to progress, he said, grows out of the unsettled condition of the questions relating to the policy of the General Government as to a territorial organization, and also to questions affecting their stability, including the railroad schemes, and threatening legislation interfering with their rights. This country, he said, had been sacredly set apart as the home of the Indians, and the guarantees by which they hold it should be sacredly observed by the Government, since the experience, as a general thing, of the whole country, establishes the fact that Indians, with some exceptions, have not been allowed to remain in the quiet and undisturbed possession of their homes within the jurisdiction of any State or Territory surrounded by a white population. He said that the character of the country reserved to the Cherokees east of the ninety-sixth meridian has been greatly overrated. In regard to the fertility and resources of the Indian Territory, at least two-thirds of that region is unfit for settlement, being mountainous and stony, rendering it unfit for cultivation. He said all the tribes deprecated congressional interference, as it would be a violation of the plighted faith of the Government through its treaties with the Indians and the laws of Congress. The Cherokees, he remarked, have reserved east of 96° less than 500,000 acres of land, so there is a great mistake in the public mind. A feeling of security, he remarked, was just as essential to an Indian to call forth exertion and tax his energies in order to improve as it is to a merchant or trader. In unsettled times few persons care to make investments.

The point was raised by Mr. Farwell, why should not the Indians dispose of the lands they do not use, and apply the proceeds to other purposes that would be immediately beneficial?

Mr. Ross answered that, if they ceded these lands and the Indian title became extinguished, they would be open for settlement by the whites; and it would then be necessary for them to have some form of government, which would be extended over the Indians; and that the Indians, without exception, are in favor of maintaining their national existence and the right to self-government, and the experiment of keeping Indians on a reduced reservation, surrounded by a white population, had been



fully tested in Kansas. A few years ago, he said, that region was sacredly set apart as a home for the Indians, and their reservation never became so reduced but they were still objects of cupidity; and the consequence has been that all the Indians have been removed, or will be removed, beyond the limits of the State. And there is reason to anticipate the same result may follow the opening of any of the Indian Territory.

Mr. Ross, in reply to a question from Mr. Lang, said that the Indian lands should be surveyed and allotted as to the quantity which should fall to each individual. He said that by the terms of the treaty of 1866, the Cherokees adopted their freedmen; have incorporated a few of the Munsees of Kansas; also the whole Delaware tribe, and the Shawnees of Kansas. There still remain east of the Mississippi, in North Carolina, Georgia, and Tennessee, more than two thousand who have the privilege of coming West and settling in the Cherokee country.

In answer to Mr. Campbell, as to whether the Cherokees were on the increase or decrease, he stated that, before the war commenced, the Cherokees were increasing in population, but that during the war at least one-fourth of them perished; that nearly the whole of them were refugees from their homes, either north or south, and as a consequence, nearly all the old people, many of the women and children, died from exposure and privation and the diseases consequent thereto; numbers of men also died in the Army. There was also considerable mortality among them the second and third year after the war, but since that time the population seems to be on the increase, and there seems to be no material causes why they should not increase as well as other people.

#### VEXATIOUS ARRESTS.

Mr. Ross also informed the commissioners that a source of vexation and probable difficulty arises from the number of United States marshals sent into the Indian country by the United States district court at Van Buren. These officials being dependent on their fees, some of them are not scrupulous in hunting up cases throughout the country, and arresting and taking from their homes at a long distance persons against whom no proceedings are afterward successfully maintained. There is reason, he said, to believe that some resort to very unscrupulous means in order to get up cases. He then gave an account of the manner in which he was treated.

Last summer a couple of young Cherokees got into a difficulty on the highway, and one of them was killed by the other. The father of the young man first had a writ taken out, and the alleged murderer was arrested by the officers of the nation. The father afterward went before the United States commissioner at Van Buren, and had another writ taken out for the same man, upon the ground that the mother of his son who was killed being a white woman, brought the case within the jurisdiction of the United States courts. The writ was placed in the hands of a deputy marshal for execution, who first went to Chief Downing, and made a demand on him for the delivery of the prisoner, but the demand was refused. The marshal then went to where the prisoner was kept, and in the absence of the sheriff made a demand to the guard for him. The guard refused to surrender the prisoner without an order from the sheriff. In the mean time Mr. Berge, of Fort Gibson, and myself (Ross) rode up in company with the sheriff where the prisoner was kept, for the purpose of seeing him, we being employed as his counsel. The marshal then made a demand on the sheriff for the prisoner, which he refused to comply with unless he brought an order from the principal chief or the United States agent, inasmuch as he held him as a sworn officer of the nation, by proper process of law, and because both parties were Cherokees, and amenable to Cherokee law. Mr. Berge and myself took part in the conversation, and we explained the grounds upon which the sheriff acted; but we offered no resistance personally or in any other way. The case went on, and he was acquitted.

Some time afterward Mr. Berge and myself, while in the discharge of our duties as senators in the national council, were arrested by the marshal upon an indictment for resisting a United States officer. We were taken off to Van Buren, a distance of sixty miles, accompanied by our counsel, Ex-Governor Fletcher, of Missouri, who happened to be in Tahlequah at the time. After our arrival in Van Buren the United States district attorney *nolle prossed* our cases, and we were discharged.

The point of jurisdiction involved in the refusal of the sheriff had been decided the day before by the court in favor of the Cherokee Nation, but of course Mr. Berge and myself were left without any redress for our arrest under the circumstances. The treatment, however, extended to us at Van Buren personally was courteous and kind.

The deputy marshal who made the arrest was Joe Peevy, formerly of Barry County, Missouri. Having made this statement, the interview between Mr. Ross and the commissioners closed.

*Sunday, December 11.*—To-day an interesting meeting took place in the hall where the sessions of the councils were held. Most of the delegates, the Indian commissioners, and the strangers from abroad were present.

After silent prayers, Mr. Lang, one of the commissioners, opened the meeting by stating that he first came into the Indian country twenty-eight years ago, and that he was



gratified with the improvements since made, which he beheld around him. He said the commission of which he was a member was selected by the President of the United States, to look after the interests of the Indians.

The commissioners had left their homes and journeyed this long distance without any compensation, out of sincere regard for the welfare of the red people. He could also assure them that a large majority of the members of Congress were their friends, and desirous of doing them justice. He alluded to the lively interest felt by a majority of the people of the United States for the welfare of the Indians, and the preservation of the race. He then dwelt at some length on the influence which the civilized tribes could and should exert upon the wild tribes; that the great law should actuate their conduct, "to do unto others as they would have others do unto them." He then closed with an exhortation to remember the great source of all the blessings and privileges which they enjoyed—their Great Father in Heaven.

#### SPEECH OF COMMISSIONER CAMPBELL.

Commissioner Campbell next briefly addressed the assemblage. He expressed the deep sympathy he felt for the Indians here and those further west, the wild Indians of the plains. He thought that the general council, under proper management, might bring the wild tribes under the influence of the civilized tribes, and be the means of putting an end to the Indian wars, and wars against the whites on the frontiers; it would lead them to adopt the habits of a settled life, and in this way the Indian race would be preserved from extermination.

#### COMMISSIONER FARWELL'S SPEECH.

Mr. Farwell, of Chicago, next spoke. He expressed the pleasure he felt in being present. He had often heard the idea advanced that Indians being but Indians, there was no prospect of elevating their condition; but the idea had always been repugnant to him. He admitted that his knowledge had been of a general character until recently, since which time he had endeavored to inform himself more accurately on the subject. He was now more than ever satisfied of the incorrectness of that opinion. An overruling Providence, he said, had put it in the minds of the President and friends of the Indians, and Indians themselves, to make the present movement for a united and harmonious government; and he hoped yet to see the distinction between the Indians and the whites wiped out, when the former should become citizens of the United States, and constitute a State, with all the privileges of the other States of the Union. He urged reliance on a superintending Providence, who did all things for the best.

#### SPEECH OF MR. HOAG.

Superintendent Hoag next spoke. He reminded the audience that General Sherman, in his report to the Secretary of War, in 1868, said there was no hope of saving the Indians from utter annihilation, except by a strict observance of the principles of the treaties of 1867, of withdrawing them from their nomadic and roving life, and placing them on reservations, and of the maintenance of peace, both among the tribes and with the whites. He also reminded his auditors of the false history disseminated through the country by the newspaper press of the border States. The President and Cabinet, and a large majority of the people of the States, were earnestly desirous for a faithful maintenance of all the treaties, but there was a power at work on the border for the destruction of their interests. He referred to the vast importance of drawing to their councils a representation from the tribes of the Plains; that the example and counsel from the confederated tribes and nations composing this council would be more effective than if it were from their white brothers. He appealed to the delegates to go forward with the good work already blocked out, in forming the superstructure of their government. If carried out in harmony, looking to the safety, strength, increase of education, industrial enterprise, and general civilization, it would show to the world a power for the preservation of peace, and allay the unjust prejudices existing against the Indian tribes. If by any misfortune a war should be inaugurated by any of the roving tribes, it would awaken elsewhere slumbering jealousies and wrongs unredressed, and would surely draw in the tribes now at peace, and all the nations and tribes would suffer in consequence.

#### THE GENERAL COUNCIL.

*Monday, December 12.*—To-day the commissioners, by invitation, attended the general council, and were seated beside the presiding officer, Enoch Hoag.

The report of the committee on permanent organization of a plan of government for the various nations and tribes represented in the council was taken up and discussed *pro* and *con*.

Mr. Ross fully explained the features of the plan, saying it would be submitted to



the different tribes, who would be at entire freedom to adopt or reject it. In reply to Mr. Johnson, he said he would not force the new form of government on any tribe opposed to the measure. His colleague, Mr. Johnson, represented one portion of the Cherokee Nation, and he, perhaps, represented another. They met here to legislate in accordance with the treaties of 1866. It involves a new form of government, and it will be necessary to have an executive and marshals to carry it into effect, otherwise it would not be worth the paper it is written upon.

Mr. Folsom, of the Choctaw Nation, said that law was worthless unless there was some power to enforce it. They were launching out on a new sea without any chart to guide them. He came here without knowing what was to be done, and as there were many perplexing questions to settle they must be met soberly. No doubt, he said, there will be differences of opinion, but it was necessary to have a free interchange of sentiment. He desired some form of government adopted that he could submit to his people for their approval. The force of circumstances has united the tribes, in sentiment, and by the help of God he hoped a stronger bond of union would be effected.

Mr. Johnson again spoke at some length, insisting that the report goes outside of the provisions of the twelfth article of the Cherokee treaty. He said if one tribe only should adopt the proposed plan it would establish a different relation with the United States, and in adopting another form of government they would be lost in the mist.

Mr. Folsom said they were assembled here as Indians, and these questions should be met; and if a safe foundation is reached, all should unite as one man. In consequence of the quarrel of other people, the Indians were involved in difficulties, and at the close of the war they were deprived of farming utensils, clothing, and almost everything, and were just recovering, in some measure, from the effects of the war. It devolved upon them to find out what course to pursue, and in securing the advantage of a new form of government, they should be one in thought and opinion; they should establish themselves on a safe basis, develop the resources of the country, build up schools, and have a reliance on the promises of the sacred Gospel. He alluded to the numerous embarrassments that had followed them in their history as a nation. In 1830, President Jackson, desirous of getting the Choctaw lands, promised them lands here, and the consequence was that they were scattered. They came to this western country, and here they were now; and in view of the fact that there is no other land that they can be removed to, they must live here. As Indians, he wished all their efforts should be acceptable to those who were more powerful.

#### INTERNATIONAL RELATIONS.

Mr. Lafore said the form of government to be adopted should meet the approval of the Government of the United States. The report was a preamble merely, simply giving an outline of their condition, and the contemplated form of government. It is intended to establish a system of international relations between the different tribes, similar to that of the United States, so as to give protection to all without disturbing the provisions of former treaties of any of the tribes. The object to be attained is self-preservation and to extend the hand of fellowship to those Indians not so far advanced in the path of civilization; to graft them in this system. If it meets with their approbation they can come in and enjoy its advantages. He could conceive no other plan by which the Indians can be advanced better than in the formation of a constitutional government, and the details can be arranged when the constitution comes up for consideration.

#### SUPERINTENDENT'S VIEWS.

Mr. Hoag here called attention to the twelfth article of the Cherokee treaty, making provision for the present council, and said it was pleasant to him to see the delegates watchful and cautious, but it was not agreeable to witness any unnecessary opposition. He was convinced that the proposed plan of government did not transcend the powers conferred by the said twelfth article. The language, common defense and safety of the Indian Territory, was sufficiently explicit. The provisions are general, and there is no necessity of going beyond them. That is what the delegates are sent here for, to legislate for the common benefit of all the tribes.

Mr. Porter, of the Creek Nation, said it was evident, from the appointment of a committee, that the council desired a permanent form of government. The objections raised seemed to be general, and as the gentlemen from the Cherokee Nation had offered no valid objections to the general plan, he would therefore call for a vote on the report.

The chair put the question, and the report was adopted—ayes, 48; noes, 5.

There was no dissenting voice except from the Cherokee delegates. Mr. Ross and his friends voted in the affirmative. (The report as adopted appears on a preceding page.)

An opportunity being given the commissioners to address the assembly, Mr. Lang spoke briefly, exhorting them to unity of purpose and action, vividly impressing on the minds of the delegates that "a house divided against itself cannot stand." From



the attention paid to the remarks made by the speaker, it plainly showed that he made a deep impression on the audience.

Mr. Farwell said he lacked words to express the feelings of satisfaction experienced by him in the doings of this day of the council. He saw individual efforts for the benefit of the whole, and he hoped that the noble motto of one of our States, "United we stand, divided we fall," would be forever engraved on their memories. History repeats itself, plainly showing that in unity there is strength, and in disunion there is nothing but anarchy and confusion. He urged a firm reliance in Divine Providence, and earnestly hoped that they would always look to Him for guidance.

#### COMPLIMENTS.

The council adjourned until 2 o'clock p. m. On reassembling, a resolution complimentary to the Indian commissioners, Messrs. Campbell, Lang, and Farwell, was offered by Mr. Smith of the Creek Nation, which read as follows:

Whereas the members of the general council of the Indian Territory have had the honor to receive Messrs. Campbell, Lang, and Farwell of the United States Indian commission, and to hear their views in regard to the general interests of the Indians in the Indian Territory, and the expression of their sympathies for the welfare of the red people; and whereas the general council is desirous of preserving upon the journal of their proceedings a record of this event in their history, and of their heartfelt appreciation of the noble sentiments of truth, justice, and humanity, entertained by the commissioners; therefore, be it

*Resolved*, That the general council of the Indian Territory hereby record this declaration of pleasure they have experienced from the attendance upon the council of Messrs. Campbell, Lang, and Farwell, of the United States Indian commission; of their grateful appreciation of the words of hope, cheer, and encouragement they have heard from them, and of their own desire to conform as far as practicable with the just and humane policy of the President of the United States; the preservation of peace and kindness between the Indians of this Territory, themselves, and with the whites upon their borders, and for the improvement and perpetuation of their own people and race.

Mr. Ross, in seconding the resolutions, said it expressed his sentiments, saying it was a just tribute to the Indian commissioners, in whose integrity, in whose wisdom, in whose intelligence, and in whose disinterested motives the council had the utmost confidence. He said it was seldom that Indians were so favored, and it was but right to give expression to the feelings of the council, in the words of the resolution, because they needed encouragement. It is a satisfaction also to know that in the President of the United States the Indians have a steadfast friend, who has shown a regard for the red man, and it is with unfeigned pleasure that these men appointed by him are here, who will carry with them the highest regards of this general council.

The commissioners then briefly responded to the foregoing resolutions.

Mr. Lang said he did not know whether anything was expected of the commissioners by way of response to the resolutions, and that he was not expecting anything of the kind, but he must confess this expression of the council was very grateful to his feelings. He and his colleagues on the commission could not forget this body on returning to their homes. In coming here on this remarkable occasion, and witnessing such marks of progress, he could but rejoice in his heart, and he trusted that the members of this body would never see anything in the conduct of the commissioners toward them that would detract from the expression of this council. He said that thousands of miles away from here there were kindly hearts that yearned for the welfare of the Indians. The God of Heaven was with them, and as for himself he could but look with an earnest hope in his soul that this great movement would result in peace and unity.

Commissioner Farwell said that they could draw mutual encouragement from what they had seen enacted here to-day. He saw in it encouragement for the onward advancement of the Indian race. The fact that the commissioners were here, and that their presence was acknowledged to be encouraging by the council, was very grateful to them. They had come here over bad roads at an inclement season, but all this was nothing if they had accomplished anything. He heartily thanked the council for their kind words as embodied in the resolution.

Commissioner Campbell returned thanks for the compliment embraced in the resolution. He considered this the most important movement ever undertaken by the Indian tribes for their political as well as moral advancement. The report of the committee on organization, he said, shows clearly that they have taken a step in the proper direction, by sending out invitations for the wild tribes to be present and take part in their deliberations. In this course they could do more in civilizing the wild tribes than all the commissioner's the Government could send, or even the Government itself. He urged upon the council to send out their messengers, and invite them to come in. On returning to Washington they could tell what a body of men they had met here, engaged in pushing forward the work of self-government.



William Fry, of the Choctaw Nation, spoke through an interpreter, and said he was glad to hear these messengers of peace. A long time ago Noah was saved from the flood which came over the land, and all those who have lived since were descended from him. Men were scattered over the world and languages became different; but now they were about to be united. The Indians are descendants of this one man, Noah. We should live as brothers, and should regard each others' opinions. We should be united; and as we have heard the good words from these venerable commissioners, he could say he was very much gratified for them, and believed that the institutions of the gospel could never be enjoyed by them unless they continued this good work on to success.

A committee of twelve was then appointed by the Chair to draught a constitution, as follows: W. P. Ross, of the Cherokees, chairman; Campbell Lafore, of the Choctaws; Calbert Carter, of the Chickasaws; John F. Brown, of the Seminoles; Francis King, of the Ottawas; J. F. Folsom, of the Choctaws; G. W. Johnson, of the Cherokees; C. P. H. Percy, of the Chickasaws; Ok-tar-har-sas Haijo, of the Creeks or Muskokees; G. W. Stidham, of same; Riley Keys, of same; and Augustus Captain, of the Osages.

A report from the standing committee on agriculture was then presented and read. This report, like the other papers which emanated from the members, was couched in excellent English, and the diction would have been creditable to any legislative body of white men; indeed, the proceedings throughout were conducted in accordance with parliamentary usages, and the commissioners were strongly impressed with the order and dignity that prevailed in the assemblage.

Augustus Captain, of the Osages, said he felt a little hurt by the report. He lived by farming, and under bent poles covered with skins. Before the war he said he had one hundred acres under cultivation; since then they had no rest or peace. The whites had been constantly crowding upon them and the Osages had to relinquish their lands. He held no deeded land, but sold out his improvements a few days before at \$2,000.

The Chair said it must be acknowledged that the previous speaker had been indurctions. The Osages had not very small fields nor few in number before the war. They had no encouragement, but have been driven from their bark huts; and it was a wonder to him that there had not been war and bloodshed.

Mr. Edward Earl said he desired to make an inquiry from the Choctaw delegates. He understood there were fifteen hundred freed people among the Choctaws, and he wished to know how they got along.

Mr. Percy, of the Choctaw Nation, said he could not say much in their favor. They had gathered near Fort Arbuckle, where they maintained a precarious existence. They were improvident and refused to go out in the agricultural districts, where they could get work to do. The Indians wanted them to pick cotton, but they declined. None of them had a right in the country. The treaty gave them forty acres of land; or, if the Indians declined their citizenship, they were to give them \$300,000, with which to purchase lands in other localities; but for want of somebody to care for them they had huddled together, and have thus far been deprived of its benefits.

On the adjournment to-day of the council the commissioners made preparations to leave for home early next day; but the arrival of General Parker from Washington decided them to postpone their departure until after the next forenoon session of the council.

The commissioners, besides addressing the general council, had held interviews with several of the leading chiefs and delegates, and paying an interesting visit, by invitation, to the Choctaw delegation. They had separate and private talks with Samuel Chicote, the present chief of the Creeks, and his rival, Ok-tar-har-sas Haijo, or Sands, between whom a feud had existed some time. The latter told his story, and claimed that he had been deprived of the chieftaincy through fraudulent voting. The commissioners counseled forbearance, and as the result of the election had been accepted at Washington it was urged that the matter could not be helped, and that as the time was short before another election would take place, it would be better to wait than seek a remedy now. The advice of the commissioners evidently produced a salutary effect on both parties.

*Tuesday, December 13.*—The arrival of General Parker, Commissioner of Indian Affairs, at Okmulgee produced a lively sensation among the delegates of the different tribes and nations. They had heard an expression from the Indian commissioners, Messrs. Campbell, Lang, and Farwell, the day before, with feelings of unmingled satisfaction. The Indians are jealous of their rights accorded them by treaty stipulations, and have regarded the movement in Washington for the organization of the Indian nations into a Territory of the United States, thereby opening their lands to an influx of white people, with a good deal of anxious concern. They regard this measure as fatal to their existence in their separate capacity as nations and independent tribes, enjoying a form of government according to their own selection. Consequently, in the present juncture of affairs, while making an effort to form a more perfect union, it was important to know how far the present movement towards the organization would be ap-



proved by the Washington Government; and the arrival of General Parker was expected to relieve their anxiety on this subject.

To-day the council chamber was filled to its utmost capacity.

The council was called to order by Mr. Hoag, the president. Prayer was offered by J. M. Perryman, of the Creek Nation.

General Parker and the Indian commissioners having entered the hall, the former was invited to address the delegates.

On introducing him the president stated that General Parker was one of their people, and in sympathy with their efforts for the amelioration of the Indian, and it was certain that he spoke the sentiments of the delegates in thanking General Parker for his visit at this time.

General Parker said he regarded this council as one of the most important that had ever been held among the Indian tribes of the United States. It was important because it is a general council of all the civilized tribes met together to form a confederation among themselves. Five years ago, five of the principal tribes agreed by treaty to call a council for the purpose of strengthening themselves against the encroachments of the white men, and for the rendition of criminals escaping from one tribe to another; to consider the relations existing between the Indians and the General Government; to establish courts in their own Territory, so as to escape the necessity of being dragged to Van Buren on every occasion of arrests for grave or minor offences. Steps taken by the United States were slow, and at length an appropriation was made by Congress for defraying the expenses of the council. As soon as the superintendent of Indian affairs found there were more funds for the purpose he called this meeting of delegates. It is practically the first meeting in which they are enabled to form a confederacy. The United States, he said, are prepared to pay the per diem and mileage of delegates, whenever the certificates are furnished. The authorities at Washington, when they heard of the convening of the council, were gratified, and are extremely anxious that the Indians shall succeed in organizing a government among themselves. He referred to the appointment by the President of a special board of Indian commissioners to look after the interests of the Indian tribes, and advise the President of the best means to pursue in advancing their prosperity. The President and his cabinet were pleased when they heard the commissioners were here, and they were anxious that the Indian tribes should succeed in organizing a government in conformity with existing treaties.

The Secretary of the Interior solicited the speaker to come out here and proffer such encouragement and advice as may be necessary. Besides the President, their friends in Congress were solicitous that a permanent confederation should be formed. He said the most strenuous efforts have been made by land speculators, railroad monopolies and others, to seek the establishment of a territorial government for the Indian Territory which is repugnant to the Indians. They oppose because they see it is not for their interest to have a government extended over them in this way. Efforts have been strong in this direction, but the true friends of the Indians have resisted its adoption. An effort was made to defeat the movement by establishing this general council. The President regards the present movement as of exceeding importance. It would constitute a general government by which the Indians could hold power as long as they pleased. He recommended the perfection of their organization, so that their friends in Congress could say there is an organized government already perfected according to the provisions of the various treaties, and the general council is not to interfere with the internal relations of the different tribes. This is a preliminary meeting and is a new thing.

The delegates, many of them, may have interests at home which may call them away before completing the work; but let them come back next year, and the next, until the plan is perfected. He advised that the organic law should be simple and direct, conforming to treaty stipulations. He assured them that they need not be alarmed about Congress not paying their expenses. The tribes are authorized to elect a delegate to sit in the Congress of the United States to represent the views and wishes of the Indians. Senator Harlan has already introduced a bill in Congress granting authority to this council to elect a delegate to Congress, and he had no doubt it will be passed. They would be at no expense for that delegate, but his advice would be not to elect one now. He had come, he said, simply to sit in the council and witness their deliberations for himself, so as to be able to report what occurred at Washington, in order to obtain the proper legislation to sustain the present movement.

The Indian Territory is being pressed by the tide of immigration on the east, north, and south. Kansas is filling up, and so are the borders of Missouri, Arkansas, and Texas. Good lands for occupancy are getting scarce, and land speculators look to this Territory as the last place to get good lands. He assured the council that President Grant and their real friends are not desirous of opening the Indian Territory to white settlements. (Applause.) They want it held solely for Indian occupancy. They want to see an organization perfected, and the other tribes invited in to participate in the benefits of a stable government, and in this way they would be stronger. There are provisions in the treaties by which the wild, as well as the civilized tribes, may



come in under a common rule. Senator Harlan has said that he wanted this general council to be regarded as the government of the Territory, so that whenever the time arrived, and the Indians desired it, they might be admitted as a State into the Union. It ought to be a power that may be felt in Congress, as Indians, whenever they wanted anything done.

In the various treaties of the five principal tribes, there is a provision for the establishment of a United States court. It would be advisable to have such a court sitting in the Territory once or twice a year; instead of being taken out of the Territory into Arkansas to be tried there, they can be tried by an Indian jury, composed of such men as he saw before him. It would cost them nothing. They should be educated in all the forms of government. He made these suggestions because it is a matter that must come up some time before them.

By the provisions of the treaty the Secretary of the Interior is authorized to appoint a clerk. This should be done in order to avoid technical objections; the record to be submitted to Congress properly certified. He said he was authorized to appoint such clerk, and would be pleased to have the different tribes name some one for the position, and he would commission him at once. He should not be a partisan, and, if a Cherokee, he should not be so much a Cherokee as to do injustice to the Creeks or Choctaws. He should be impartial and the friend of all. He did not apprehend that the organization would exceed its powers; the object is to make one people with one purpose; to act with one mind and heart, and in unison for the good of the whole. When they do that, their friends in Congress will be encouraged. The Indian has the brain, the thinking power, and can do much to help himself. He repeated that the President would be sorely grieved if this council did not succeed. He thinks this the best time to push forward a movement for the advancement and amelioration of the Indians. He thanked the council for the honor done him in listening to his remarks.

General Parker's speech was received with applause.

Mr. Lafore, of the Choctaw delegation, said it would be appropriate to return thanks to General Parker, on being assured, by authority so disinterested, that they had so many friends. Surrounded as the Indian Territory was by border States, who are not friendly to them, he was glad to listen to words of encouragement from another source; glad to hear of the approbation of the President of the United States in their movement for a united government. If the views expressed by General Parker were correct, he was satisfied that at no distant period it would be carried out, and he was glad to learn that incipient steps had been taken which would receive the approval of the President and Congress. He believed the true policy of the Indians would be to move forward and secure all the arts and science of civilization.

Mr. Porter, of the Creeks, also thanked General Parker for coming out here to give his advice to the council. The Indians were just about taking the initiatory steps toward an advanced stage of civilization. As yet no confederation has been formed by the Indians on a scale of equal magnitude with this movement. The new government is about to be established under the treaty provisions of 1866. There had been some difference of opinion as to the authority they had from Congress. They had good advice, but the line of demarcation was not sufficiently explicit. He knew the wants of his people, and General Parker has already stated what should be their duty in the premises. He believed the policy now pursued was the only one on the continent to insure the blessings of union and peace. In union there was strength. He was ready to overcome his prejudices and suppress all minor feelings of difference, and in pushing forward to the destined goal. He believed the Indians were susceptible of civilization, and capable of taking their places in society.

General Parker again spoke. He said in 1867 Congress authorized a peace commission, with Sherman at its head, to establish peace with the Indians who were then at war with the United States. Congress requested the commissioners to designate districts in the north and south, which they did, and designated reservations on the Missouri River, and also west of the Indian Territory. The report of that commission has never yet been approved by Congress. It is true the bulk of these lands are held under treaties with the Cherokees, Creeks, Choctaws, and Chickasaws, but as the Department has not succeeded in getting the measure legalized, he would suggest that this council unite in a request to Congress to adopt that report. It would do a great deal in preventing the encroachment of the whites in this Territory, and the action of the council will go a great way in its influence upon Congress.

The commissioners then addressed the council in a few parting words, and bidding the members good-bye, took their leave. There was a feeling of regret at their departure.

We left Okmulgee at half past 11 o'clock a. m., and passed the night twelve miles distant at "Cow Tom's," a noted stopping-place. We saw here corn pounded in a mortar for bread, and cotton "ginned" by hand.

Wednesday, December 14.—Dined at the Creek agency, and arrived at Fort Gibson. Colonel Campbell was appointed chairman of the sub-committee, and on consultation the substance of a preliminary report to Mr. Brunot, chairman of the board, was agreed upon, of which the following is a copy: (See accompanying report.)



## MINUTES OF COUNCIL AT OKMULGEE.

OKMULGEE, Tuesday, September 27, A. D. 1870.

Council convened at 9.30 a. m.; Superintendent Enoch Hoag presiding; J. G. Vore, secretary *pro tem*.

Credentials of members of different tribes presented, and the following delegates admitted to seats:

## DELEGATES.

*Cherokee Nation*.—William P. Ross, Riley Keys, Allen Ross.

*Muskogee Nation*.—G. W. Stidham, Pleasant Porter, John R. Moore, L. C. Perryman, G. W. Greyson, Joseph M. Perryman, Sanford W. Perryman.

*Ottawas*.—Francis King.

*Eastern Shawnees*.—Lazarus Flint.

*Quapaws*.—George Lane.

*Senecas*.—James King.

*Wyandotts*.—James Hicks.

*Confederate Peorias, &c.*—Edward Black.

*Sac and Fox*.—Keokuk, Mut-ta-tah.

*Absentee Shawnees*.—John White, Joseph Ellis.

A quorum not being present, council adjourned until 2 o'clock p. m.

TWO O'CLOCK p. m.

Council met pursuant to adjournment.

Credentials of members presented, and the following delegates admitted to seats:

*Cherokee Nation*.—S. H. Benge.

*Muskogee Nation*.—Oktars-har-sars Harjo, of Arpe-kar; Cot-cho-che, of We-wo-ka.

*Cherokee Nation*.—John Sarcoxie.

*Great and Little Osages*.—Augustus Captain, William Connor.

A quorum not being present, on motion, council adjourned until 9 o'clock a. m. to-morrow.

\* \* \* \* \*

Report of informal committee submitted for action.

## REPORT ON ORDER OF BUSINESS.

The committee on the order of business report and recommend—

1st. That the provisions of the twelfth article of the treaty of August, 1866, between the United States and the Cherokee Nation, be adopted as the present basis of the power and duties of the general council of the Indian Territory.

2d. That a majority of delegates entitled to seats in the general council shall be necessary to constitute a quorum for transaction of business, but a less number during a lawful session thereof may adjourn from day to day and adopt such measures as may be deemed necessary to compel the attendance of absent members.

3d. There shall be elected by the general council a secretary, whose duties shall be such as are defined by treaty.

4th. There shall be elected in like manner one doorkeeper, whose duty shall be prescribed by order of the president.

5th. That a committee of seven members be appointed by the president to report rules for the government of the council in the transaction and order of business.

6th. That there shall be appointed by the president the following standing committees for the session, whose duty it shall be to consider and report by bill or otherwise upon subjects that may be referred to them by order of the council, to wit:

1. A committee on relations with the United States.

2. A committee on internal relations.

3. A committee on the judiciary.

4. A committee on finance.

5. A committee on education and agriculture.

6. A committee on enrolled bills.

J. R. Moore offered the following amendment:

\* \* \* \* \*

In first paragraph, after the words "general council of the Indian Territory," insert "nor shall said council legislate on matters pertaining to the organization, laws, or customs of the several tribes."

Amendment lost.

Report of the committee adopted.

On motion, election of secretary was deferred until Monday, October 3.



Robert Carr was duly elected doorkeeper.

The following standing committees were appointed by the president:

Committee on relations with the United States.—W. P. Ross, S. H. Bengé, G. W. Stidham, S. W. Perryman, and L. Flint.

Committee on internal relations.—Allen Ross, P. Porter, Francis King, Keokuk, Augustus Captain, J. A. Scales, and J. R. Moore.

Committee on judiciary.—Riley Keys, G. W. Stidham, S. M. Taylor, Edward Black, and Augustus Captain.

Committee on finance.—J. A. Scales, Moses Alberty, J. M. Smith, L. C. Perryman, and John White.

Committee on education and agriculture.—J. M. Perryman, O. H. P. Brewer, Joseph Vann, Tim. Barnard, Wm. Connor, J. M. C. Smith, and W. P. Ross.

Committee on enrolled bills.—W. P. Ross, J. A. Scales, and J. M. Perryman.

Committee on rules for the government of the council in the transaction and order of business.—W. P. Ross, G. W. Greyson, G. W. Stidham, R. Keys, F. King, and G. Lane.

On motion, council adjourned to meet at 2 o'clock p. m.

On motion the following resolutions were adopted:

*Resolved*, That the committee on education be instructed to report in writing, as near as may be practicable, the population of the nations and tribes represented in the general council, the amount of their respective school funds, the number of schools in operation among them, the system under which they are managed, and the general state of education in the Indian Territory.

*Resolved*, That the committee on the judiciary be instructed to report a bill or bills which shall provide for the arrest and extradition of criminals and offenders escaping from one tribe to another tribe, and for the administration of justice between members of different tribes of the Indian Territory, and persons other than Indians and members of said tribes and nations.

*Resolved*, That the committee on internal relations be instructed to report a bill or bills to regulate matters pertaining to the intercourse and relations of the Indian tribes and nations resident in the Indian Territory.

Report of committee on rules for the government of the council in the transaction and order of business received and adopted.

#### REPORT ON RULES.

In order to expedite and conduct the proceedings of the present council with some regard to the rules governing other similar assemblies, the committee appointed for that purpose would respectfully recommend the adoption of the following rules for the government of the council now assembled at Okmulgee, Cherokee Nation, agreeably with treaties of 1866, in the transaction and order of business, to wit:

1. That the council shall meet daily (Sunday excepted) at 9 o'clock a. m., unless otherwise ordered by the council.

2. When called to order by the president, it shall be the duty of the secretary to call the roll and read the journal of the preceding session.

On motion the following resolutions were adopted:

*Resolved*, That the committee on education be instructed to report in writing, as near as may be practicable, the population of the nations and tribes represented in general council, the amount of their respective school funds, the number of schools in operation among them, the system under which they are managed, and the general state of education in the Indian Territory.

*Resolved*, That the committee on the judiciary be instructed to report a bill or bills which shall provide for the arrest and extradition of criminals and offenders escaping from one tribe to another tribe, and for the administration of justice between members of different tribes of the Indian Territory, and persons other than Indians and members of said tribes and nations.

*Resolved*, That the committee on internal relations be instructed to report a bill or bills to regulate matters pertaining to the intercourse and relations of the Indian tribes and nations resident in the Indian Territory.

On motion, the following resolution was adopted:

*Resolved by the general council of the Indian Territory*, That the committee on relations with the United States be instructed to report a memorial to the President of the same, setting forth our relations with the General Government, as defined by treaty stipulations, and protesting against any legislation by Congress impairing the obligation of any treaty provision, and especially against the creation of any government over the Indian Territory other than that of general council; also against the sale or grant of any lands, directing or contingent upon the extinguishment of the Indian title, to any railroad company or corporation now chartered for the purpose of constructing a railroad from a point north to any point south, or from a point east to any



point west, through the Indian Territory, or the construction of any railroads other than those authorized by existing treaties.

#### REPORT ON PERMANENT ORGANIZATION.

The special committee to whom was assigned the duty of making a report upon the resolution of the general council, in the words following, to wit: "*Resolved by the general council of the Indian Territory, That the President be, and he is hereby, authorized to appoint a committee of ten to devise a permanent organization of the Indian Territory, as contemplated by the treaties of 1866, with the several tribes resident in the said Territory,*" respectfully state that they have given the subject such consideration as was in their power. They regard the organization of the Indian Territory, under any form of government, as of the gravest importance to all the people who inhabit it.

The large and invaluable interests in lands and money which belong to the nations and tribes who are settled therein; the provisions of their several treaties with the United States; their distinct form of government and franchise arising under them; their different languages and diversified conditions, present severally and combined interests not to be too lightly estimated nor too hastily disposed of in arranging the terms of any organization that may be designed to blend in one harmonious system the whole of them, at the same time that it preserves a just and impartial regard for their respective rights.

The opposition of all Indians to any form of territorial government that has been proposed by the Congress of the United States is too notorious to require any comment. It is firmly and ineradicably imbedded in their very nature. They cling to their homes, to their laws, to their customs, to their national and personal independence, with the tenacity of life itself. In these sentiments your committee fully concur. And while the leading powers invested in this general council pervade all the treaties negotiated in 1866 by the United States with the different nations here represented, each one of them grants some important concession, or retains some important right not to be found in others. In some respects they merely shadow dimly the duties of this council, instead of clearly defining its powers and authority. The responsibility of inexperienced legislators, instead of being simplified by them, is made more difficult and complex. As the best means of removing these obstacles, observing a fair deference to the sentiments of our people, and at the same time of preserving our race, and of perpetuating unimpaired the rights of all—the weak and the strong—those less advanced, and those who have made further progress towards civilization, your committee are of the opinion that the organization of the people here represented, and such as may hereafter unite with them, should be a government of their *own choice*. It should be republican in form, with its powers clearly defined, and full guarantees given for all the powers, rights, and privileges, respectively, now reserved to them by their treaties. They therefore respectfully recommend that the council proceed to form a constitution for the Indian Territory, which shall conform to existing treaty stipulations, provide for an executive, legislative, and judicial department, and vested with such powers only as have been conceded to this general council, and not inconsistent with all the rights reserved to each nation and tribe who were parties to the treaties of 1866, and also with the final provision that such constitution shall be obligatory and binding only upon such nations and tribes as may hereafter duly approve and adopt the same.

On motion of Mr. W. P. Ross, the committee of twelve for draughting a constitution for the government of the Indian Territory retired from the council for the purpose of entering upon their duties, and were instructed to report at as early an hour as possible.

Allen Ross, of the Cherokee Nation, chairman of the committee on international relations, submitted the report of that committee, in the form of a resolution, tendering to the wild tribes of the Plains the hand of friendship, and recommending to them the prudence of refraining from acts of hostility among themselves, as well as against the citizens of the United States.

The president highly recommended the spirit of the report, and expressed a desire that every effort will be made to better the condition of the tribes of the Plains as well as all other Indians.

On motion of J. A. Scales, of the Cherokee Nation, the report was unanimously adopted.

Your committee, to whom was referred the resolution in regard to the various tribes of the Plains, respectfully state that they have carefully considered said subject, and beg leave to submit the following resolution, and recommend that it be adopted by the general council:



## RESOLUTION IN RELATION TO THE TRIBES OF THE PLAINS.

*Resolved by the general council of the Indian Territory,* That the superintendent of Indian affairs be, and he is hereby, requested to convey, through their respective agents or otherwise, to the Comanches, Kiowas, Cheyennes, Arapahoes, and other tribes of the Plains, the fact that the Choctaws, Chickasaws, Cherokees, Muskogees, Seminoles, Osages, Senecas, Shawnees, Ottawas, Peorias, Wyandotts, Quapaws, and Sacs and Foxes, have met in general council and confederated; that the object of this confederation is to preserve peace and friendship among themselves, with all other red men, and with the people of the United States; to promote the general welfare of all Indians, and to establish friendly relations with them; to secure our lands exclusively to ourselves, and to transmit them to our children after us; that the nations above named extend to them the hand of friendship; that they earnestly recommend them to refrain from acts of hostility among themselves and with the people of the United States; and that we offer them our aid and counsel in establishing permanently friendly relations with the Government of the same, and will meet them in council whenever practicable, and desired by the superintendent of Indian affairs.

## A.

The committee to whom the duty was assigned of reporting upon the agricultural interests and resources of the Indian Territory, regret to say that they have no data upon which to estimate, even approximately, the quantity of land in cultivation within the limits of the Indian Territory.

The Creeks, Cherokees, Choctaws, Chickasaws, Seminoles, Shawnees, Delawares, Senecas, Quapaws, Ottawas, Wyandotts, and the Confederated Peorias, Weas, Piankeshaws, and Kaskaskias are an agricultural people and rely upon the cultivation of the soil and the raising of stock for their livelihood, and the Sacs and Foxes, Osages, and others are making commendable progress in that direction. The extent of their farms varies from a few acres to two and three hundred, and in one instance in the Chickasaw Nation, in the fertile valley of the Washita, to more than two thousand acres. While there are many farms sufficiently large, the majority of them might be increased with great advantage. The interest in this respect is growing, and since the close of the war to the present time, there is a marked progress in the general improvement, in the buildings and farms among the Indian people. In these respects there is wide room for further advancement, and this we confidently expect to witness, whenever the constant agitations in Congress and elsewhere, which so much disturb the security of the people and discourage all their efforts to improvement, shall cease.

But notwithstanding all adverse influences, the condition of the people is not stationary, but progressive. The idea which obtains to a considerable extent, in even otherwise well-informed circles remote from the homes of the Indians, that they live by hunting, fishing and trapping, is entirely erroneous so far as applied to the nations and tribes enumerated above. They are settled and not nomadic in their habits, and rely upon the cultivation of the soil for their subsistence. Their advancement is not all that we could desire, but is an earnest of better things in the future, and shows a susceptibility for further improvement, and, with proper efforts, the native ability to reach a genuine civilization. A large area of the inhabited portion of the Indian Territory is well adapted to the use of improved agricultural implements. Their introduction, as yet, is limited, but perhaps equal to what should be expected when it is borne in mind how much men are apt to do as their fathers did before them, as their neighbors do around them, and as the limited means at their disposal allowed. Reapers, mowers, and threshers of different patents are seen in some places, while improved plows for turning prairie land and working crops are found in large numbers. We would desire to impress the people of the Territory engaged in agriculture with the importance of giving more attention to this subject than is now done. Good implements, well and timely used, lighten the burdens of labor, impart a real pleasure to employment, and largely increase its results. They relieve both man and beast, and directly increase the value of time by increasing its results. The crops which can be profitably grown in the soil and climate of the Territory are very nearly all those adapted to a rich soil and temperate latitude. Corn is the staple crop, and, even under our somewhat defective plan of culture, yields upon an average from thirty to sixty bushels per acre. In favorable seasons it does well in all portions of the Territory. Wheat is not so generally grown as it should be, chiefly, we apprehend, because of the scarcity of mills for the manufacture of flour. The Cherokees, perhaps, grow more than any nation in the Territory. The average yield is about fifteen bushels. It has been known to yield as high as forty-two. But few farmers there, however, prepare the soil and seed it down with the care the crop demands. South of the Canadian, and on the Arkansas and Red Rivers, and the uplands intervening, cotton was formerly extensively cultivated, and was the most valuable crop of that region. We hope yet to see it again whitening large and well-tilled fields, and bringing in treasure and wealth to our



brothers of the Choctaw and Chickasaw Nations—the Chickasaw crop this year being estimated at five thousand bales. Tobacco is extensively grown.

Of the grasses we need say but a word. Our prairies furnish all that is now to be had, and all that seems to be cared for. Clover and timothy do well, and would even now repay their cultivation. Blue grass also succeeds well, and will be as much at home in some portions of the Territory as it is in Kentucky. Rye and oats do well all over the Territory, so far as your committee are advised—a species of the former being indigenous to the soil and affording excellent winter pasturage. Potatoes, beans, beets, pumpkins, upland rice, turnips, cabbage, onions, and nearly all garden vegetables in suitable soil and with seasonable culture, grow to perfection. In horticulture, with some exceptions, we are lamentably behind the times. So far as tested, no finer apples are grown in the United States than some we have seen from orchards in the Indian Territory north of the Canadian and Arkansas Rivers. Peaches, pears, plums, and cherries succeed, while the smaller fruits, such as strawberries, raspberries, blackberries, and grapes, are to the “manner born.”

Your committee would be much gratified to be the means of awakening a general interest upon this subject, and stirring up the people more generally to the cultivation of the more desirable kinds of fruits. There is pleasure in the pursuit, and health and profit in the results of horticulture.

As regards the domestic animals of the Territory, we need scarcely remark that stock-raising must furnish occupation for a large number of our people. It is adapted to their habits and to our climate, and will be the source of the largest profit to those who embark in it. The number of domestic animals, and the quality of their breeds, have been sadly reduced and deteriorated by the war. Large and magnificent herds of cattle have entirely disappeared from our prairies, and the accumulation of forty years vanished into nothingness. But the grass still grows and the waters run, inviting and urging our people to untiring efforts to renew their herds of cattle, horses and hogs and flocks of sheep and goats. Money, food and raiment stimulate them to start again in pastoral life, and to get the best improved breeds of all kinds of stock that may be within their means.

In conclusion, your committee beg leave to say, that as agriculture and its kindred branches—horticulture and stock-raising—should and must constitute the chief pursuits of the great majority of our people, every means in our power should be adopted to foster and encourage them. Even now they have every inducement to increased care and exertions in those directions. Markets are now brought to our very doors, or soon will be by extension of railroads, the increase of travel through our Territory, and the teeming population that moves with resistless activity around our borders. Everything that we can produce beyond our own consumption is, and will continue to be, in demand.

The country which we possess, the homes we occupy, are our own and the heritage of our children, by every right known and respected of men. Let us diligently improve and use them, remembering our own responsibility in the premises, and the duty we owe to those who may come after us. Even the log cabin is more stable than the lodge set up with poles and covered with straw and buffalo hides. The people who have homes and cultivated fields and orchards are more secure from intrusion and aggression than those who have no fixed residence or abiding place. Here is our only home, and in it we must thrive and increase or dwindle and perish. Either result is largely within our own control. As we choose to have it, so will it be.

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#### APPENDIX 36.

##### *Constitution of the Indian Territory.*

##### B.

Whereas the people of the nations of Indians inhabiting the Indian Territory have agreed by treaty with the Government of the United States, and been by its agents invited to meet in general council under the forms prescribed by the treaties of 1866, and the action thereon of the Government of the United States, having thus met to frame the laws and arrange the machinery of a government for the country occupied and owned by them, in order to draw themselves together in a closer bond of union, for the better protection of their rights, the improvement of themselves, and the preservation of their race, and relying on the guidance and favor of Almighty God to carry out in a consistent and practicable form the provisions of said treaties at the earliest practicable day, do hereby enact and promulgate the following as the constitution or organic law of the said Indian Territory:



## ARTICLE I.

SECTION 1. All that portion of country bounded on the east by the States of Arkansas and Missouri, on the north by the State of Kansas, on the west by the Territory of New Mexico and the State of Texas, and on the south by the State of Texas, which has been set apart and guaranteed by the treaties and laws of the United States as a permanent home for the Indians therein lawfully resident, or such as may be in like manner settled therein hereafter for the purposes of this constitution, shall be known and styled as "The Indian Territory."

SEC. 2. Each of the nations of Indians who by themselves, or through their representatives, may enter this confederacy, do agree that the citizens of each and every one of said nations shall have the same rights of transit, commerce, trade, or exchange in any of said nations as he has in his own, subject only to consistency with existing treaty stipulations with the United States and the laws regulating trade and intercourse, and under such judicial regulations as are hereinafter provided. But no right of property or lands, or funds owned by any one nation, shall be in any manner invaded by citizens of another nation; and it is hereby distinctly affirmed that the rights of each of these nations to its lands, funds and all other property shall remain the sole and distinct property of such nation. Any Indian nation now represented in this general council, or which may hereafter enter in a legal manner, or be now in said Indian Territory, may be admitted to representation and all the privileges of this joint government, by accepting and agreeing, through their proper authorities, to the provisions of this constitution.

## ARTICLE II.

SECTION 1. The powers of this government shall be divided into three distinct departments, to be called the legislative, the executive, and the judicial departments of the Indian Territory.

SEC. 2. No person belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in the cases hereinafter expressly directed or permitted.

## ARTICLE III.

SECTION 1. The legislative power shall be vested in a general assembly, which shall consist of a senate and house of representatives; and the style of their acts shall be "Be it enacted," or, "Be it resolved by the general assembly of the Indian Territory."

SEC. 2. The senate shall consist of one member from each nation whose population is two thousand citizens, and one member for every additional two thousand citizens or fraction greater than one thousand: *Provided*, That nations with populations less than two thousand may unite and be represented in the same ratio: *And provided further*, That the Ottawas, Peorias, and Quapaws, shall be entitled to one senator; and the Senecas, Wyandottes, and Shawnees, to one senator; and the Sac and Foxes to one senator.

SEC. 3. No person shall be eligible to a seat in the general assembly but a bona fide citizen of the nation which he represents, and who shall have attained to the age of twenty-five years.

SEC. 4. The house of representatives shall consist of one member from each nation, and an additional member for each one thousand citizens, or fraction thereof, greater than five hundred.

SEC. 5. The members of the senate and house of representatives shall be elected by the qualified voters of their respective nations, according to their laws or customs, and shall hold their office for the term of two years. Vacancies that may occur shall be filled in like manner.

SEC. 6. The senate, when assembled, shall choose a president and its other officers, and the house of representatives a speaker and other officers; and each shall judge of the qualifications and returns of its own members. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as each house may provide.

SEC. 7. Each branch of the general assembly shall keep a journal and determine the rules of its proceedings, punish a member for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same offense.

SEC. 8. The general assembly shall have power to legislate upon all subjects and matters pertaining to the intercourse and relations of the nations of the Indian Territory, the arrest and extradition of criminals escaping from one nation to another; the administration of justice between members of the several nations of the said Territory and persons other than Indians and members of said nations; and the common defense and safety of the nations of said Territory. But the said general assembly shall not legislate upon matters other than those above indicated. The general assembly shall meet annually on the first Monday in June, at such place as may be fixed upon at their first regular session.



SEC. 9. Members of the general assembly and other officers, both executive and judicial, before they enter upon the duties of their respective offices, shall take the following oath or affirmation, to wit: "I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the Indian Territory, and that I will faithfully and impartially discharge, to the best of my ability, the duties of the office of —, according to law. So help me God."

SEC. 10. The members of the general assembly shall be paid four dollars per day while in actual attendance thereon, and four dollars mileage for every twenty miles going to and returning therefrom on the most direct traveled route, to be certified by the presiding officer of each house: *Provided*, That no member shall be allowed per diem compensation for more than thirty days at any annual session.

SEC. 11. Members of the general assembly shall, in all cases except of treason, felony, or breach of the peace, be privileged from arrest during the session of the general assembly, and in going to and returning from the same.

SEC. 12. No power of suspending the laws of this Territory shall be exercised unless by the general assembly or its authority. No retrospective law, nor any law impairing the obligation of contracts, shall be passed.

SEC. 13. Whenever the general assembly shall deem it necessary to provide means to support the government of the Indian Territory, it shall have power to do so; but no revenue shall be raised not actually necessary and in accordance with law, uniform in its operations throughout the Territory.

SEC. 14. All bills making appropriations shall originate in the house of representatives; but the senate may propose amendments or reject the same. All other bills may originate in either branch, subject to the concurrence or rejection of the other.

SEC. 15. The house of representatives shall have the sole power of impeaching. All impeachments shall be tried by the senate. When sitting for that purpose, the senators shall be on oath or affirmation, and shall be presided over by the chief justice, and no person shall be convicted without the concurrence of two-thirds of the members present.

SEC. 16. The governor, and all civil officers, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than removal from office and disqualification to hold any office of honor, trust or profit, under this Government; but the party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, and punishment according to law, as in other cases.

SEC. 17. The salaries of all officers created under this constitution, not otherwise provided, shall be regulated by law, but no increase or diminution shall be made in the same during the term for which said officers may have been elected or appointed.

#### ARTICLE IV.

SECTION 1. The executive power of this Territory shall be vested in a governor, who shall be styled the Governor of the Indian Territory, and whose term of service shall be two years, and until his successor shall have been elected and qualified. He shall be elected by the qualified electors of each nation, on the first Wednesday in April, at the usual places of holding elections of the several nations. The returns of the election of governor shall be sealed up and directed to the secretary of the Territory, who shall open and publish them in the presence of the senate and house of representatives in joint session assembled. The person having the highest number of votes shall be declared governor by the president of the senate; but if two or more shall be equal and highest in votes, then one of them shall be chosen by the majority of votes by joint ballot of both houses of the general assembly.

SEC. 2. The manner of conducting and determining contested elections shall be directed by law.

SEC. 3. No person shall be eligible to the office of governor who shall not have attained to the age of thirty years.

SEC. 4. Whenever the office of governor shall become vacant by death, resignation, removal from office or otherwise, the president of the senate shall exercise the office until another governor shall be duly qualified. In case of the death, resignation, removal from office, or other disqualification of the president of the senate so exercising the office of governor, the speaker of the house of representatives shall fill the office until the president of the senate shall have been chosen and qualified to act as governor.

SEC. 5. The governor shall receive, at stated times, for his services, a compensation to be fixed by law, which shall be neither increased nor diminished during the period for which he shall have been elected; nor shall he receive, within that period, other emolument from the Indian Territory.

SEC. 6. The governor shall, from time to time, give to the general assembly information in writing of the state of the government, and recommend to its consideration such measures as he may deem expedient, and shall take care that the laws be faithfully executed.

SEC. 7. The governor, on extraordinary occasions, may, by proclamation, convene the



general assembly at the seat of government, to legislate upon such matters only as he may recommend.

SEC. 8. When vacancies occur in offices, the appointment of which is vested in the governor by and with the consent of the senate, he shall have power to fill such vacancies by commission, which shall expire at the end of the next session of the general assembly.

SEC. 9. The governor may grant pardons and respites, and remit fines for offenses against the laws of this Territory, and shall commission all officers who shall be appointed or elected to office under the laws of the Territory.

SEC. 10. Every bill which shall have passed both houses of the general assembly shall be presented to the governor; if he approve, he shall sign it; if not, he shall return it, with his objections, to the house in which it may have originated, which shall enter the objections at large upon the journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent with the objections to the other house, by which it shall likewise be reconsidered; if approved by two-thirds of the members present of that house, it shall become a law; but in such case the votes of both houses shall be determined by yeas and nays; and the names of the members voting for and against the bill shall be entered on the journals of each house respectively. If any bill shall not be returned by the governor within five days (Sundays excepted) after it shall have been presented to him, the same shall become a law in like manner as if he had signed it, unless the general assembly, by their adjournment, prevent its return, in which case it shall be a law, unless sent back within three days after their next meeting.

SEC. 11. There shall be a secretary of said Territory, who shall be appointed by the governor, with the advice and consent of the senate, and who shall hold his office for two years, and whose duties shall be prescribed by law. He shall also act as treasurer of the Territory until otherwise provided. Before entering upon his duties as treasurer he shall give bond with such sureties as may be required by law. No money shall be drawn from the treasury but by warrant from the governor, and in consequence of appropriations made by law. There shall also be appointed in like manner one marshal, who shall have power to appoint such deputies as may be authorized. There shall likewise be appointed one attorney general and two district attorneys, whose duties and terms of office shall be defined by law.

SEC. 12. All commissions shall be in the name and by the authority of the Indian Territory, and be sealed with the seal and signed by the governor and attested by the secretary of the Territory.

#### ARTICLE V.

SECTION 1. The judicial department of the Indian Territory shall be vested in a supreme court, three district courts, and such inferior courts as may be provided by law; but their jurisdiction shall not interfere with the civil and criminal jurisdiction retained to each separate nation by the treaties of 1866.

SEC. 2. The supreme court shall be composed of the three judges, who shall be appointed by the governor, with the approval of the senate, as district judges. Two of said judges shall form a quorum of the supreme court for the transaction of business. Their terms of office shall be six years, provided that the office of one of said judges shall be vacated in two years, of one in four years, and of one in six years, so that at the expiration of each two years one of said judges shall be appointed as aforesaid. The judge appointed for six years shall be the first chief justice of the supreme court, and upon the expiration of his term, the senior judge in office shall be thereafter the chief justice.

SEC. 3. The supreme court shall meet at the capital, commencing on the first Mondays in June and December in each year. The supreme court shall be a court of appellate jurisdiction from the district courts, and original jurisdiction in such cases as may be prescribed by law.

SEC. 4. The supreme and district judges shall have power to issue writs of habeas corpus and other process necessary to the exercise of their appellate or original jurisdiction.

SEC. 5. The district courts shall have original jurisdiction of all cases, civil and criminal, arising from the trade or intercourse between the several nations, and all cases arising under the legislation of this government as may be prescribed by law.

SEC. 6. Writs of error, bills of exceptions, and appeals may be allowed from the final decisions of the district courts in such cases as shall be prescribed by law.

SEC. 7. It shall be the duty of the general assembly to divide the Indian Territory into three districts, which shall be as nearly equal in territory and population as may be practicable, assign one of the three judges to each district, and provide for the holding of terms of the district court in each, at such times and places as may be deemed expedient.

SEC. 8. No person shall be appointed a judge of any of the courts until he shall



have attained to the age of thirty years, and be a person of good character and suitable qualifications.

SEC. 9. No judge shall sit on a trial of any cause in which he may be interested, or in which he is connected to either of the parties by affinity or consanguinity, except by consent of the parties; and in case of disqualification of any judge, the vacancy shall be filled as may be prescribed by law.

SEC. 10. All writs and other process shall run in the name of the Indian Territory, and bear test and be signed by the clerk issuing the same.

SEC. 11. Indictments shall conclude, "Against the peace and dignity of the Indian Territory."

SEC. 12. Each court shall appoint its own clerk, whose duty and compensation shall be fixed by law.

#### ARTICLE VI.

SEC. 1. The general assembly may propose such amendments to this constitution as three-fourths of each branch may deem expedient; and the governor shall issue a proclamation directing all civil officers of the Territory to promulgate the same as extensively as possible within their respective districts, at least six months previous to the annual sessions of the national councils of the nations parties hereto; and if three-fourths of such national councils, at such next annual sessions, shall ratify such proposed amendment, they shall be valid to all intents and purposes as part of this constitution.

#### DECLARATION OF RIGHTS.

That the general, great and essential principles of liberty and free government may be recognized and established, we declare:

SEC. 1. That all political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit; and they shall have at all times the inalienable right to alter, reform, or abolish their form of government as may be lawfully provided for.

SEC. 2. The free exercise of religious worship, and serving God without distinction of creed, shall forever be enjoyed within the limits of this Territory: *Provided*, That the liberty of conscience shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace, safety, and good morals of this Territory.

SEC. 3. No religious test shall ever be required as a qualification to any office of public trust in this Territory.

SEC. 4. Every citizen shall be at liberty to speak, write, or publish his opinions on any subject, being responsible for the abuse of this privilege; and no law shall ever be passed curtailing the liberty of speech or of the press.

SEC. 5. The people shall be secure in their persons, houses, papers, and possessions, from all unreasonable searches, seizures, and intrusions; and no warrant to search any place, or to seize any person or thing, shall be issued without describing them as nearly as may be, nor without good cause, supported by oath or affirmation.

SEC. 6. In all criminal prosecutions, the accused shall have a speedy trial by an impartial jury of the district wherein the crime shall have been committed; the right of demanding the nature and cause of the accusation; of having the witnesses to testify in his presence; of having compulsory process to procure witnesses in his favor; of having the right to be heard by himself and counsel; of not being compelled to testify against himself, nor to be held to answer to any criminal charge but on information or indictment by a grand jury.

SEC. 7. All prisoners shall be bailable before conviction, by sufficient surety, except for a capital offense where the proof is evident or the presumption great.

SEC. 8. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted; and all courts shall be open, and every person, for an injury done him in his person, reputation, or property, shall have remedy as the law directs.

SEC. 9. No person, for the same offense, shall be twice put in jeopardy of life or limb, and the right of trial by jury shall remain inviolate.

SEC. 10. No person shall be imprisoned for debt.

SEC. 11. The citizens shall have the right, in a peaceable manner, to assemble for their common good, to instruct their representatives and to apply to those invested with the powers of government for redress of grievances, or other purposes, by petition, address, or remonstrance.

SEC. 12. The privilege of the writ of habeas corpus shall not be suspended, unless the public safety should require it.

SEC. 13. All power not herein expressly granted by the nations parties to this constitution, are reserved by them respectively, according to the provisions of their several treaties with the United States.

\* \* \* \* \*



## SCHEDULE TO THE CONSTITUTION.

In order to organize the government of the Indian Territory, and secure practical operation for the same, it is hereby ordained—and the provisions of this schedule shall be of the same binding force as the constitution, of which it is a part—that it shall be the duty of the secretary of this general council to transmit a duly authenticated copy of this constitution to the executive authority of each nation represented in the general council, and to ask the acceptance and ratification of the same by the councils or people of the respective nations. Upon receiving from such authority notification of its acceptance and ratification by national councils, representing two-thirds of the population of the nations represented in the general council, it shall be his duty to promulgate such fact, and to call a session of the general council from the nations ratifying this constitution, at such place as the present session may designate for its next meeting. It shall be the duty of the general council, when so assembled, to adopt such measures as may be necessary to secure the election of a governor and members of the general assembly, and to fix the time of the first meeting of the said assembly, whose duty it shall be to perfect the organization of the government of the Indian Territory, under the provisions of the foregoing constitution: *Provided*, That this constitution shall be obligatory and binding only upon such nations and tribes as may hereafter duly approve and adopt the same.

ENOCH HOAG,

*Superintendent of Indian Affairs, President.*

G. W. GREYSON,

*Secretary.*

## REPORT ON POPULATION AND EDUCATION.

OKMULGEE, M. N., December 17, A. D. 1870.

Your committee, to whom was referred, by resolution of the general council of September 30, 1870, the subject of the populations and educational interests of the several nations represented in the general council, report as follows:

The committee have no means of ascertaining the exact population of the several nations, and therefore are compelled to give it approximately from the information they have been able to obtain; and in their opinion it will exceed the figures given below.

The advancement in education has been seriously retarded by the late war. It closed, during its continuance, all the schools, and having destroyed nearly all the property of the country, the first efforts of the people after its close were directed to rebuilding and gaining a subsistence. In consequence, a large number of the youths have grown up without the advantages of education. In this respect its injurious effects will be long felt. Your committee, however, are happy to state that the nations are now giving this important subject their earnest attention, as will be seen from the following:

## THE CHOCTAWS.

Since the close of the late war the Choctaws have been able to establish and maintain only neighborhood schools, but are supporting about twenty Choctaw youths, males and females, attending schools in the States. An act of the Choctaw council in 1870 authorizes the reopening of two boarding-schools—one for males and one for females. The amount annually expended in supporting these schools is about \$33,000. There are three schools in each county, making forty-eight in the nation. The teachers are allowed \$2 per month for each pupil in attendance. The number of pupils attending school is 1,460. The population of the Choctaw Nation is between 16,000 and 17,000.

## CHEROKEES.

The population of the Cherokee Nation at the present time cannot be accurately reported. The national council, during its session last year, passed a law by which a large number of those recently arrived from North Carolina and other States are required to substantiate their rights before the supreme court, now in session for that purpose, previous to their enrollment as *bona fide* citizens.

The census of the Cherokee Nation, taken previous to November 1 of the present year, shows the population to be about 17,000, including those cited before the supreme court, as stated above, as to whose rights there is no doubt.

The school and orphan funds consist of the interest accruing on moneys invested in State and United States stock.

For school fund .....	\$596, 140 75
For orphan fund.....	219, 774 00



Bearing interest at from 5 to 7 per cent. Interest about \$43,000. The Cherokees have in operation forty-eight district schools, three of which are for colored children, supported out of this fund, besides a few private schools in neighborhoods situated inconvenient to public schools. The public schools are under the supervision of a superintendent who is a native, and whose duties are defined by law. A large number—perhaps three-fourths—of the teachers are natives, and paid out of the school fund \$400 each per scholastic year of ten months. Total number of scholars attending school is 1,928. The orphans attending schools are boarded and clothed out of the orphan fund, which is only applied to those who are indigent and destitute. There is also one mission school under control of the Moravian Board. Previous to the war there were in successful operation two high schools, or seminaries—one male and one female. The buildings are now undergoing thorough repairs for the purpose of putting them in operation again. Each will accommodate about 100 students, together with the necessary teachers and servants.

## MUSKOGEEES.

The population of the Muskogee Nation is about 13,000, inclusive of freedmen.

The Muskogees have now in successful operation twenty-two public schools located in different parts of the country, and under the supervision of a superintendent of public instruction, who is a native. These schools are taught by one teacher each, with a salary of \$400 for scholastic year of ten months. The last national council created nine additional schools, which are now being put in operation. In addition to these schools there is one boarding school in successful operation, accommodating 80 pupils, and one building under way, which will be completed by spring, and will accommodate as many. These boarding schools are supported by the nation, except the salaries of the superintendent and necessary teachers, which are paid by the boards of the Methodist and Presbyterian denominations, under whose control they are. The course of instruction pursued in the public and boarding schools is as follows: Commencing with the alphabet and its combinations into syllables, and extending through the various elementary branches, as reading, spelling, writing, geography, grammar, and arithmetic. Six of the public schools are appropriated for the exclusive use of the freedmen of the Muskogee Nation.

Annual school fund from treaty stipulations .....	\$10,000
School fund contingent on the will of the President .....	1,000
School fund from national appropriations, annually .....	13,758
Total school fund expended .....	<u>24,758</u>

The average number of children in attendance at school at the close of the scholastic year ending June 30, 1870, was about 700.

## SEMINOLES.

The population of the Seminole Nation is about two thousand five hundred. By an act of the council there has been established four neighborhood schools, which are now in successful operation, taught by efficient teachers, who receive an annual salary of \$600 each. The whole number of pupils in attendance at school is 225, the average daily attendance at each being about 40.

In addition to the neighborhood schools there is now in process of construction a mission building, superintended by the Rev. J. R. Ramsey, of the Presbyterian denomination. The building will soon be completed and be sufficient to accommodate more than 50 pupils. By treaty stipulation the Seminoles have, and use for the support of the neighborhood schools, \$2,500, being the interest on \$50,000 held in trust by the United States.

## CHICKASAWS.

The population of the Chickasaw Nation is between five and six thousand. They have eleven neighborhood schools. The whole number of pupils in attendance is 440. In addition to these they have 60 pupils attending schools in the States, the expense being paid by the nation at the rate of \$350 each.

Amount appropriated September last for support of neighborhood schools ....	\$29,000
For supporting pupils in attendance at schools in the States .....	21,000
Total school fund .....	<u>50,000</u>

The teachers of the public schools are allowed out of the school fund \$3 per month for each pupil.



## OSAGES.

The Osages have 50 children attending the Catholic Mission school. The annual school fund is \$3,000. They have recently come into the Territory, and are not yet fully settled. They are beginning life anew, and it is hoped with better prospects of advancement in education than they have heretofore enjoyed. Their population is between three and four thousand.

## CONFEDERATED PEORIAS, ETC.

The last census of Confederated Peorias shows the population to be 170. They have one school located among them, having been in operation about two months. Number of children attending school is about 25. The school fund is the interest on from thirty-five to forty thousand dollars, invested fund.

## OTTAWAS.

The Ottawas have a provision for education in their treaty of 1862—setting apart 20,000 acres of their land for the support of schools, and one section for school buildings. This land is near the city of Ottawa, and is valuable. They number 175 souls and have a school in successful operation of 52 scholars.

Population of Shawnees .....	80
Population of Wyandotts .....	160
Population of Senecas .....	188

These tribes have no schools among them.

## SACS AND FOXES.

The Sacs and Foxes number about seven hundred, and have a school fund stipulated by treaty, amounting to \$5,000 annually.

## QUAPAWS.

The Quapaws number 236 souls. No school fund reported.

Your committee are informed that measures are in progress for opening schools at an early day among the Quapaws, Senecas, Wyandotts, Osages, Sacs and Foxes, and Absentee Shawnees; the latter numbering about six hundred souls.

From the foregoing, your committee find the population of nations represented in the general council to be about sixty thousand; number of schools, 140; pupils attending school in the Territory and in the States, 4,800; amount of school fund expended annually in support of schools is about \$163,000.

In conclusion, your committee would state that, in their opinion, nothing now so much retards educational advancement of the people of the Territory as their want of confidence in the permanency of their political institutions, growing out of the constant agitation, in and out of Congress, of the question of extending over these nations a territorial form of government, created by congressional enactment. It is not necessary for your committee to state that the measure is utterly repugnant to every Indian in the Territory; but, cheered by the words of hope from the representatives of the Government of the United States visiting us during the present session of the general council, and reposing full confidence in the distinguished head of that great nation, we are led to believe that a brighter day is dawning upon the Indian.

The government proposed by the general council—to be established over the Indian Territory—to be administered by Indians for themselves—is one founded on and growing out of treaty relations with the United States, and depends for its perpetuity not upon armies and navies, but upon the honor and good faith of that Government. It must be defended by the patriotism and intelligence of its sons.

JAMES M. C. SMITH,  
*Chairman Committee on Education.*

## THE REPORT OF THE COMMITTEE ON EDUCATION.

The following is a synopsis:

The population of the Choctaw Nation is from 16,000 to 17,000. They have 48 public schools. They will soon have two boarding-schools in operation, one for each sex, and they have twenty youths at school in the States. Their annual school-fund is \$30,000. The whole number of children attending school this year is 1,460.

The population of the Cherokees is 17,000. Their annual school-fund amounts to about \$50,000. They have about 48 public schools, three of which are exclusively for colored children. The whole number of pupils is 1,928. The orphans of the nation are boarded



and clothed by the interest of the orphan fund. There is one mission school carried on by the Moravians, and there are several private schools.

The population of the Creeks or Muskogeas is 13,000. They have twenty-two public schools and will soon have nine more, making thirty-one—under the management of a superintendent of public instruction. They pay their teachers \$400 for ten months' services. They have one boarding-school in operation and another nearly ready, each of which will accommodate eighty pupils. The superintendents and teachers of these boarding-schools are paid by the Methodists and Presbyterians, and the other expenses by the nation. Six of their public schools are exclusively for colored children. Their annual school fund is \$24,758. The average number of pupils this year is 700.

The population of the Seminoles is 2,500. They have four public schools. The entire number of pupils is 225. The mission school, under the care of Mr. Ramsey, will soon be moved into the new building, which will accommodate 50 pupils. Their annual school fund is \$2,500.

The population of the Chickasaw Nation is 5,400. They have 11 public schools. The whole number of pupils is 440. Their annual school fund is \$50,000. They keep 60 children at school in the States at an annual cost of \$350 each.

The population of the Osages is from 3,000 to 4,000. They have 50 pupils at the Catholic mission. Their annual school fund is \$3,000.

The population of the Peorias is 170. They have one school of 25 pupils and an annual school fund of \$2,000.

The Ottawas have one school of 52 pupils.

#### APPENDIX 37.

*The Indian country—its extent, fertility, streams, &c.—The climate and productions, &c., &c.*

[Special correspondence of the Republican.]

FORT GIBSON, INDIAN TERRITORY,  
December 16, 1870.

#### A FERTILE REGION.

Lapping on the southwest corner of Missouri, and lying coterminous to the southern border of Kansas and the western border of Arkansas, is one of the richest and most fertile regions in the United States, set apart by solemn treaty and stipulations for the occupancy of various Indian tribes.

#### EXTENT.

It is 382 miles long, 208 miles wide, and contains 70,456 square miles. It therefore contains 50,000,000 acres of land, and would make seventy States of the size of Rhode Island, and two the size of New York, the empire State of the Union. Of this magnificent domain I have the authority of Mr. Reynolds, a gentleman who has traveled extensively through the country, for stating that there is scarcely a quarter-section that is not susceptible of cultivation. This writer says it is far superior to Kansas, Nebraska, or Missouri as a stock and fruit-growing country.

#### THE PRINCIPAL STREAMS

that irrigate the country are the Arkansas, navigable to Fort Gibson, the Red Fork of the Arkansas, the Grand or Neosho River, the Verdigris, coming down from the north and emptying into the Arkansas at Fort Gibson. On the east side of the Arkansas is the Illinois River, rising in the mountainous regions southeast of Fort Gibson, said to be one of the prettiest rivers on the continent, sparkling with crystal waters. West of the Arkansas are the Canadian, with its tributaries, the North Fork, Deep Fork, Little River, We-wo-ka and numerous affluents. Besides these main streams, the country is abundantly watered by small streams and creeks that are nameless on the map.

#### THE SOIL, ETC.

The climate of this favored region is delightful the larger portion of the year, and the grass remains green all winter. The soil is well adapted to corn, wheat, oats, cotton, tobacco, and the whole family of garden vegetables. As a fruit country it is unsurpassed, and wild grapes grow abundantly. In commenting on the prolific character of the soil, it was observed by one of our party that efforts should be made to procure improved breeds of stock, and better varieties of seed grain of all descriptions. In answer to the suggestion, Mr. Goss, of Chetopa, remarked that the results of experience



taught that seed grain, brought from a northern latitude, did not thrive well here, that the crop of most grains became deteriorated, and that it was essential that grain and vegetables to thrive well must become acclimated in order to be productive.

#### FARMING OPERATIONS.

But if there are climatic obstacles as to northern seeds in the territory, there can be none in introducing improved agricultural utensils and implements of husbandry. On this score, those who till the soil labor under great disadvantages. At Cow Tom's, otherwise called Bovine Thomas, where the commissioners stopped over night, an opportunity offered to witness some of the farming operations.

Cow Tom is an intelligent negro of the Creek persuasion. During the Florida war he was interpreter for General Jesup, and was the body servant of Lieutenant Lane, when that unfortunate young officer committed suicide by falling on his sword, the point of the weapon entering the brain just above the eye. Cow Tom is the proprietor of a plantation—under a good state of fencing. He purchased the improvement since the war for \$150. He is entitled by the Creek laws to all the land that he can put under fence and properly cultivate, with the privilege of keeping off his neighbors at arm's length, as settlements are not allowed nearer any occupant than each quarter of a mile. The reason for this custom, as adopted by the early Indian lawgivers, was to break up the habit of congregating in villages, growing out of the tribal relation, obliging the Indians to scatter about and become independent proprietors. Wild tribes of nomadic habits are accustomed to wandering about and huddling together for mutual safety and defense.

Cow Tom this season has raised fine crops of corn, cotton, and chickens, sufficient to render comfortable a large family of children and grandchildren who lean on him for support. But owing to the distance from mills, he pounds his corn in a mortar with a wooden pestle, and the yield of cotton, raised exclusively for home consumption, has to be "ginned" with the fingers, and carded by hand. For breaking up the prairie he used the old-fashioned "bull plow," such as was in use before the invention of the "wood patent." By long service the plow point, from constant filing, has become worn up to the mould-board. It should be stated that farmers nearer the States, especially among the Cherokees, Senecas, Quapaws, Peorias, and other advanced tribes, have introduced improved farming implements to a considerable extent.

#### THE NEIGHBORHOOD.

Our fare at Cow Tom's was relished with a keen appetite, and there were neat quilts on the beds, of home manufacture. There is a comfortable school-house near by, where the children are taught to read. There is no physician nearer than Fort Gibson, distant 33 miles, and the inhabitants have a goodly prospect of dying a natural death.

#### THE INDIANS AND THEIR LANDS.

The population of the Indian Territory is estimated at 53,000, thus giving every man, woman, and child about 1,000 acres a head. Strong efforts are making by outside parties to sectionize the magnificent domain, but the proposition is looked upon with exceeding distrust by the Indians. They deprecate, as is quite natural, outside interference in their affairs, and wish to be governed in their own way. And when it is recollected that they were forced, by harassing wars, to move from the homes of their nativity in Georgia, North Carolina, and Florida, beyond the Mississippi, and have been exposed to fraud, falsehood, and treachery; and finally, to save themselves from extermination, consented to remove here, where no white man would then dare to live, is it not reasonable that they should be left alone and unmolested? What people have a better right to their lands, ceded to them in perpetuity by solemn treaties, and of which they were the first occupants? But the resistless tide of emigration is pressing on their borders. Railroad monopolies and greedy speculators are coveting their rich lands, and were it not for the just and humane policy of the leading men in authority at Washington, these civilized tribes would be fated to melt away before the white men like snow before the sun. Unscrupulous speculators look upon these lands with the same greedy eyes that Ichabod Crane, of Sleepy Hollow memory, regarded the rich buckwheat fields of old Baltus Van Tassel, his expectant father-in-law, feeding his eyes upon "sugared suppositions" until outrivaled in the affections of Katrina by his redoubtable opponent, Brom Bones.

#### FAIR DEALING.

A shameful page in our history can only be wiped out by dealing fairly with these people who are now assembled in council at Okmulgee, conducting its proceedings in as dignified a manner as any deliberative body that it has been my fortune to witness.



There is little doubt that a general government will be established, and a fresh impetus be given to enterprise, the construction of roads and bridges, the building of mills, and the improvement of the country. The wild tribes will be invited in to participate in the advantages of those who have preceded them in the career of civilization, and no doubt this will be the surest method of solving the problem in relation to nomadic tribes who have given the Government so much trouble.

#### THE CHEROKEES.

From various sources the following summary may be given of the population and funds, held in trust by the Government, of the leading civilized tribes. The Cherokees number about 16,000. The exact number I neglected to obtain at Tahlequah, as the census has just been completed. Ten years ago the tribe numbered 20,000, or, according to one statement, 25,000, but owing to the ravages of war the population was depleted. The Cherokees own in fee simple 4,000,000 acres of land, and the United States Government holds in trust for them \$4,000,000 upon which annual interest is paid. In proportion to their number, previous to the war, the Cherokees were the wealthiest people on the globe, as a nation. They owned immense herds, one individual alone owning 20,000 head of cattle. Others owned 15,000, 10,000, and so down to 300, and the man who owned less was considered a poor Indian. An officer estimates that not less than 300,000 head of stock were stolen from the Indian Territory during the war. The aggregate value of stock stolen by both armies during the war is estimated at \$15,000,000. A tax of 50 cents is exacted per head of Texas cattle passing through each tribe.

The Cherokee State seal is a seven-pointed star, symbolic of the seven clans into which the nation was formerly divided. The seal is surrounded by a wreath of oak leaves, and the words, "Seal of the Cherokee Nation."

#### THE CREEKS.

This tribe numbers 14,800, the females outnumbering the males about 1,500. Ten years ago the population reached 21,000. They own nearly 4,000,000 acres of land, and the United States Government holds in trust for them \$1,519,000. Preparations for taking the census this season were made by the agent, Captain Field, when instructions were received countermanding the order.

The present chief of the Creek Nation is Samuel Chicote, a very able man.

A rival named Oc-ter-sus Hargo, or Sands, a delegate of the general council, claims that he was defrauded out of the office of chief by the partisans of Chicote. He made a statement of the case before the Indian commissioners. It seems that after the death of O-poth-le-yo-ho-la, the chief of the loyal Creeks, who was an able leader, Sands succeeded him, and some difficulty arose growing out of that question. The feud came near ending in a rupture. Sands headed the delegation that negotiated the treaty of 1866, at Washington. He said it was agreed between him and the opposing faction to leave the election of a chief to the people, but that, through a fraudulent counting of votes, Chicote was elected. The commissioners declined to have anything to do with the matter, but Mr. Lang suggested, that as the matter had been reported to the agent and accepted at Washington as a finality, and as a new election for chief takes place next fall, he advised forbearance as the best policy and to let the matter drop.

#### FINANCES.

By the treaty of 1866 the Creeks ceded to the Government, to be used for the settlement thereon of other Indians, the west half of their domain, estimated at 3,250,000 acres of land, for which the United States agreed to pay \$975,163, in the following manner: \$200,000 to enable the Creeks to re-occupy and restore their farms and improvements, to pay the damage to mission schools, and to pay the salary of delegates to Washington; \$100,000 to pay for losses of soldiers enlisted in the United States Army, and to loyal refugees and freedmen; \$400,000 to be paid per capita to Creeks as it may accrue from the sale of bonds; interest on the last two sums at 5 per cent., to be used for the Creeks at the discretion of the Secretary of the Interior, and the remaining sum, \$275,000, to be invested at 5 per cent. and the interest paid to the Creeks annually. An amount not exceeding \$10,000 was also to be expended by the United States for the erection of agency buildings, which were located last week near Okmulgee.

#### SEMINOLES.

This tribe, located directly west of the Creek reservation, numbers 2,160. It is a small tribe, but their forefathers fought bravely in Florida. Their decrease during the last ten years has been 10 per cent. Their reservation contains 200,000 acres, and the Government holds in trust for them \$670,000. The brother of Osceola, the most inveterate of all the Seminole chiefs, who, with Micanopy and Wild Cat, held the United



States troops at bay for years, is still on the reservation. Wild Cat's old band are in New Mexico. They number about sixty.

#### A VETERAN.

The old interpreter for General Jackson, the negro Abraham, is still alive on Little River at the advanced age of 120 years. A gentleman saw him the other day. Joshua R. Giddings, in his "Exiles of Florida," says that Abraham was, perhaps, the most influential man among the exiles. He had been a witness and interpreter in making the treaty at Payne's Landing, and dictated the important provisions in the supplementary treaty. He exerted his influence in favor of emigration. To him, therefore, his people looked with more confidence than to any other individual. In all his intercourse with all our officers, he had been assured of the intention to fulfill those treaties, and when he found the Government hesitating on that point he became indignant, and so did others of his band. Abraham always retained great influence with his people. About two hundred and sixty Seminoles still live in Florida, among the mountains and everglades.

The present chief of the nation is John Chupeo. He came with the last emigration from Florida, in 1856. The Seminoles in 1866 sold their entire old country, 1,169,000 acres, and were removed fifty miles east to a reservation of 200,000 acres, purchased for them from the Creeks. The capital is We-wo-ka. They have a council form of government, and are said to be further advanced in civilization than the Creeks. They number about 400 members of the Presbyterian and Baptist Churches. The Presbyterian board of missions are building a mission school-house. They have four district schools, with an average attendance last year of 77 children. Only one white man, E. J. Brown, formerly a member of the Kansas legislature, now a delegate at Okmulgee, has been adopted by the tribe. There is only one half-breed family in the nation. There are 400 negroes having all the rights of citizens. The Indians and negroes do not intermarry. Colonel Junper commanded a regiment during the war; the rest went to Kansas with O-poth-le-yo-ho-la, of the Creek Nation, who died in Leavenworth and was buried with military honors. His daughter, the other day, received a pension of \$1,260.

The chief of the Seminoles, Chupeo, is the tallest walker in the nation. The other day he walked from Little River to Fort Gibson, a distance of ninety miles, between sun and sun. The meaning of Seminole in the Creek dialect is "runaway," used in reference to the escape of the tribe from the Creeks from Georgia to Florida about the year 1736. Wild Cat died in New Mexico. His son came to the agency and S. A. Reynolds, the agent, gave him supplies.

#### THE CHOCTAWS.

This tribe numbers 15,000. It is the most southern reservation in the Indian territory and is 175 miles from north to south and 200 miles from east to west in extent. It is separated from Texas by the Red River, and the Arkansas and Canadian bound the nation on the north. The capital is Chapta Tomaha. The capitol building cost \$16,000. It is a two-story brick 90 feet in length. They have a senate and house of representatives. The principal chief is William Bryant. The agency of the Choctaws and Chickasaws is at Bogy Depot. The laws form a neat printed volume, and were compiled by Joseph P. Folsom, a full-blood Choctaw, a member of the Okmulgee council. Folsom graduated at Dartmouth College. He is profound in Latin and Greek, and thinks the English nothing but a borrowed language. He says the Choctaws have no jails—they punish with the lash. For theft the prisoner has his arms grasped round a tree, and receives from 39 to 100 lashes. The sheriff uses a hickory gad.

#### INDIAN WITCHCRAFT.

The following extract from the printed statutes shows that the Choctaws are somewhat in advance of our Puritan fathers:

"Any person who shall kill another for a witch or wizard shall suffer death. And any person who shall publicly state that he himself, or she herself, is a witch or wizard, or shall say that such a person or persons are witches or wizards, and he or she knows it to be so, shall receive sixty lashes on the bare back."

Of course, in this enlightened law it will be seen how history repeats itself, and how the star of empire has been moving westward since Bishop Berkely's day.

#### THE CHICKASAWS.

This nation is included among the Choctaws, and they number about 4,800. The Government holds in trust for the Choctaws \$1,385,000, and for the Chickasaws \$400,000. The laws of both nations are in common, but the Chickasaws are under a different



chief, called governor, whose name is Brown—Governor Brown. The two tribes were united from 1837 to 1855, since when they have retained a separate organization.

#### OTHER TRIBES.

The Senecas, Shawnees, Wyandotts, Sacs and Foxes, Confederated Peorias, Ottawas, Osages, and Quapaws occupy narrow strips of land on the borders of Southwest Missouri, ranging from one to ten miles in breadth. Some are advanced in civilization, others are not much in advance of the wild tribes. Keokuk, a delegate at the national council, is the son of the celebrated chief, Old Keokuk, of the Sacs and Foxes, who left among them at his death an injunction not to assume the ways of white men. The Quapaws, originally called Pow-pows, were made up of the remnants of different tribes.

#### RAILROADS.

By an act of Congress passed July 27, 1866, two roads through the Indian Territory were provided for—one from Springfield, Mo., and the other from Fort Smith, Ark., to intersect on the Canadian river, and run through on the 35th parallel to the Pacific Ocean. Congress also made the usual grants of lands to aid in their construction, and also obligated itself to extinguish the Indian title, with the consent of the Indians. The Cherokees and other tribes, in the treaty of the same date of the act, granted the right of way to such road passing east and west, and one running north and south, as Congress might authorize to construct. The Secretary of the Interior has thereupon decided that the Atlantic and Pacific is entitled to one route, and the Missouri, Kansas, and Texas road to the other. The latter road is already graded 65 miles within the Indian Territory—to Flat Rock Creek—and the Atlantic and Pacific will reach the Indian Territory in a short time. The road is graded to within 12 miles of Seneca, and is under contract to that place. That company want to first get the right of way through the Seneca reservation, a distance of about ten miles. The Cherokees have ceded the territory west of the 96th meridian, by a treaty not yet ratified. That treaty dedicates that land, as ceded, to the settlement of other tribes, whereas the railroad company wants a clause inserted, that in such territory west of 96 the land grant shall hold. The agents of the road have been busy in trying to get the right of way through the Seneca Nation, and also the land grant confirmed west of 96 degrees. The Cherokees refuse to give lands for depot buildings for both roads, with the exception of 400 feet for such buildings and water tanks. The width of the road is 200 feet. The company ask for a section of land, on an average of every ten miles of road, for stock yards, depot buildings, &c., so that they will not be in danger of trespassing too much on Indian lands. They wish to pay for such lands, but the Indians refuse to give consent, on the ground that it will bring in an influx of white people, and that constant encroachments will follow, as has most always been the case. Both railroad companies have sent in petitions to the Cherokee legislature, asking wood and for the construction of the road, and the privilege of paying for the same.

Since reaching Gibson, we learn that the Cherokee council has adjourned, and that a bill passed permitting citizens to sell railroad ties, sawed and hewed timber for the Missouri, Kansas, and Texas Railroad, by paying to the nation five cents royalty for ties, and 15 per cent for hewed and sawed timber for bridges and depot purposes. The bill of the Atlantic and Pacific Railroad would also take the same course.

#### OPPOSITION TO RAILROADS—A TRAGEDY.

The opposition to railroads is illustrated in a ridiculous manner by the following circumstance: Near one of the hotels in Fort Gibson is standing an itinerant photographer car, resembling a small-sized baggage car strayed away from a railroad train. The artist, B. F. White, takes tolerable pictures, some of which are beautiful, particularly if the sitters happen to be such. He is on his way from Kansas City to Texas. On the 4th day of September his car came to Gibson, and was seen by the native population heaving and tossing about in the ruts like a ship on the rolling waves, a long distance away on the prairie. The idea was broached that it was a railroad car, "forty hours through from Boston without change of cars." On reaching town White was met by an Indian (it is alleged) who politely asked him if he "had a permit to run the machine." White replied that he had not, but would obtain one if necessary. The man who accosted him then said, "You can open this thing and run it as long as you please; nobody shan't hurt you." After telling him this, the man drew a revolver and shot Mr. White; the ball entered the shoulder, and passing through the left lung, came out at the back bone, carrying away a portion of the bone.

White then broke for the nearest house. The assassin then ran around the car, and seeing a white man whom he supposed, as is surmised, to be a partner in the concern, fired his revolver at him. The ball missed the person aimed at, and hitting a negro who stood in the rear, killed him almost instantly. He ran four steps and fell dead. The negro was named Ellis Johnson, and formerly belonged to Wm. P. Ross, who gave



him a nice coffin and a decent burial. Johnson was a quiet, polite, and civil darkey, and a preacher. An excited crowd gathered around. The murderer rode away. An appeal was made to Major Craig, of the United States Army, and the agent of the Cherokees, since resigned, to come down and address the crowd. The occasion of calling on him was to allay the excitement, the exasperation of some being met by the exclamation of others, that it was "only a d—n negro that was shot."

Major Craig, in an indignant manner, (this part of the story I have from an Army officer,) told the Indians present that they had been complaining to him of the constant encroachments of the whites, and continually appealing to him for redress, but in these acts they were taking the surest means of dissolving their national government, and that he would use his influence hereafter to secure it.

A prominent citizen of the Cherokee Nation, Moses Nevins, was accused of the shooting and efforts were made to arrest him. He voluntarily gave himself up to the United States marshal, was taken to Van Buren, and after having an examination before the United States commissioner, was discharged, no proof appearing that he was the guilty party. Mr. White is still much crippled from the effects of the bullet, and it is from him that I had the above version of the affair, made in the presence of Captain Cru-land, the quartermaster of the post, who essentially corroborated White's statement.

#### SAFETY OF LIFE AND PROPERTY.

It should not be inferred from the above lawless proceeding that life and property are unsafe in the Indian Territory. The above is an exceptional case, and atrocities of that kind are of rare occurrence. In corroboration of this I am informed by Mr. Goss, an agent of the Missouri, Kansas, and Texas Railroad, whom we met at Gibson, and who has traveled extensively over the country, that human life is as safe and more so than in the adjoining States and Territories. This assertion applies particularly to the whites, who, in their journeys over the country, through a sparse population, in pursuit of their legitimate business, are seldom molested. Should the Indian Territory, through the bad faith of the United States Government, be opened to settlement by the white population, then we could expect to witness a renewal of the scenes of outlawry and the operation of lynch law the same as disgraced the early settlement of most of our Territories.

#### EXCEPTIONAL LAWLESSNESS.

In speaking of the immunity enjoyed by the white sojourners in the Territory, the remark may not so strictly apply to the conduct of Indians among themselves. There seems still to exist a leaven of that southern chivalry among some of the hot-blooded natives which impels them, under a false notion of revenge, to take the law in their own hands.

An instance of this kind occurred on Wednesday, at Tahlequah, in which a half-breed Cherokee deliberately shot a colored Cherokee in the streets, in broad daylight. Ex-Governor Fletcher, of Missouri, stood by at the time and witnessed the murder. The half-breed was a clerk in Mr. Rees's store, and the negro was an employé of Mr. McClellan. The negro had loaned to the clerk a bridle and saddle. The saddle was returned, but not the bridle in time, and the faithful colored man fearing that his employer would scold, made a demand from the clerk for the missing article several times, using disrespectful words. A friend of the clerk remarked that he would not take such language from a negro. Goaded on by such insinuations, after the negro got into the street, he took his revolver, and walking up to the victim shot him down like a beef. No effort was made to arrest the assassin. He mounted a horse and rode out into the country, but according to custom it is expected he will return in a few days after the excitement is over, and deliver himself up, under the advice of his friends.

#### THE NEGROES.

This class of the population among the Cherokees are entitled to the same rights as the Indians. All freedmen who have been liberated by the voluntary act of their former owners, or by law, as well as all free colored persons who were in the country at the commencement of the rebellion, and are now residents therein, or who returned within six months after the treaty of 1866, and their descendants, are entitled to all the rights of native Cherokees. The general council, I am informed by Mr. Ross, have since passed an act admitting all within the limits of the nation to the rights of citizenship who failed to come in within the period of six months stipulated for their return.

The Creeks and Seminoles by treaty also admit the colored folks to the right of citizenship. The Choctaws and Chickasaws sold the western portion of their country, and agreed that if their freedmen were not admitted to citizenship at a certain time, they were to receive \$30,000 as a bonus with which to procure a home elsewhere.

The question is still unsettled and negroes remain corralled near Fort Arbuckle.



Among the Cherokees three or four schools are set apart for their benefit, as they sensibly prefer schools conducted by themselves. Some of these are said to be good, others indifferent. There is no mixture of the African blood with the Cherokees—the white stock being preferred by the latter; not so among the Creeks, who are largely amalgamated with the African. Some of the prominent Creek delegates in the general council are of this mixed breed. It is stated of General Arbuckle that twenty-eight years ago, on coming from the Creek nation to Tahlequah, in the Cherokee nation, he dropped the prediction that in a few years the Creeks would be all black and the Cherokees all white.

#### INDIAN LITERATURE AND CUSTOMS.

After diligent inquiries among the intelligent representatives of the various tribes, I failed to find any remnants of Indian literature preserved in the shape of songs or ballads perpetuating the traditional exploits of their heroes in war, love, and the chase. Some of the old men, it was said, could still recite snatches of war songs, but the young men of the present generation are deficient in this particular.

"In them the savage virtues of the race,  
Revenge and all ferocious thoughts were dead."

The Creeks have their annual dance—are given to ball-playing and similar polite arts. The Cherokees frequently have gatherings, or "bees," for rail-splitting, house-raising, &c., and in the towns other reunions of higher order are in vogue. Our limited time did not permit of obtaining an insight into prevailing customs, manners, and habits of the people, and their social state. It would be interesting to ascertain what elements of old tribal customs were still clung to and grafted in the social relations in the progress of this interesting people to a higher civilization. A native Creek preacher undertook to interpret an old ballad into English, but before the first couplet was completed I found that the choice specimen was one of Dr. Watts's hymns, which had been translated into the Creek vernacular from the original English.

#### A PETITION

signed by about forty delegates was presented to Commissioner Parker, asking the appointment of G. W. Grayson, a delegate of the Creek Nation, as secretary of the council. He was accordingly appointed and entered upon his duties. He resigned his seat as a member of the council. A resolution was unanimously passed, thanking Major I. G. Vore for the faithful manner in which he had performed the duties of temporary secretary, and requesting the president to make him due compensation for his services.

#### ILLUSTRATIONS OF INDIAN PROGRESS.

I have just learned, from a most reliable source, a few items of interest about individuals among the Seminoles. John Chupeo, who is one of the Seminole chiefs, was, no longer ago than the year 1859, a *blanket* Indian in Florida. He came to the Territory with about 500 of his people, and is now a member of the Presbyterian Church, sustains a high moral character, has by his industry opened a farm with a cultivated area of 140 acres, and has a large amount of stock. This simple fact does not quite sustain the theory that you cannot make anything of an Indian. John Jumper, the other Seminole chief, is a Baptist minister, of most reputable character as a citizen, very industrious in his habits, and has an excellent and well-managed farm. Mr. Brown, who resides among these Indians, being engaged on one occasion in constructing a farm gate, one of the Seminoles stood by and watched his proceedings until he had finished the job. The Indian, without letting his intentions be known, went the next day to the saw-mill, purchased timber and quietly proceeded to his farm with it, and when Mr. Brown had occasion, not long afterwards, to pass the Indian's residence, he observed several farm-gates recently erected. Could white men do better than this?

On another occasion the Seminoles wanted some beef and flour to provide for the holding of a national council, and had no national funds at hand. Mr. Brown wanted rails for his farm, and offered them beef and flour for rails. In twenty-four hours they made 3,100 rails for him, and purchased the desired supplies.

#### CHEROKEE FAIR.

The Cherokee fair commenced on Wednesday, October 5. The day was fine, and quite a large number of those interested in the cause gathered to see the articles exhibited and hear new ideas for them to profit by. Considering the shortness of time for preparation, and this being the first fair, there was not a large show of stock, fabrics, grain, or vegetables. It was not expected; this being the nucleus from which will grow, with the fostering care and attention of farmers, one of proportion inferior to none in point of stock and domestic productions. Still there was an interest manifested—evinced by the number of competitors for premiums. There was a fair show of horses,



a few of them well deserving of praise, among them some fine saddle-horses; by the by, the Cherokees consider themselves second to none in point of excellence in that line. The show of cattle was small. A glance at them assured the observer that the people were interested in the raising of fine stock, and hold to the opinion that "blood will tell."

The reason of such a small show is, the people were timorous about bringing forward their stock and articles, thinking there would be many far superior to their own, while many did not understand the real object in view.

A look at the vegetable department was gratifying, many of them being very large and fine, showing conclusively that this soil is adapted to the raising of all cereals and vegetables.

In the ladies' department many articles of household usefulness were exhibited, the ladies seemingly taking a lively interest in showing the productions of their nimble fingers, which we think were well worthy of praise.

Neither were the fine arts neglected, a collection of paintings gracing the room. Take it all in all, the fair was a success. An interest was awakened which will extend itself until the agricultural resources of the nation are fully developed and the Cherokee people become noted as producers and tillers of the soil. The idea should be disseminated that the true way to meet the hordes who are awaiting an opportunity to invade the soil is through the plow-handles, and he who raises fifty bushels of grain over and above his necessities makes an argument in favor of his country's nationality.

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#### APPENDIX 38.

UNITED STATES INDIAN AGENCY,  
Green Bay, Wisconsin, September 6, 1870.

SIR:       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*

There are three tribes under the care of the agency, the Oneidas, Stockbridges and Menomonees. The Oneidas occupy a tract of about 65,000 acres near the city of Green Bay. A portion of the tribe have five farms, and live like their white neighbors. There is, however, a considerable number of Indians living on the reservation who have no right there, and the two parties cannot harmonize. The chiefs have advanced various projects for the subdivision of their lands, but it appears impossible to unite them on any one plan.

The sale of whisky to Indians has caused much of the trouble among these people, and efforts have been made repeatedly to have the offenders punished, but owing to the peculiar instructions given by Judge Miller, of the United States district court, it has heretofore been impossible to have the law enforced, and my immediate predecessors have apparently been discouraged.

W. R. BOURNE,  
First Lieutenant United States Army, Indian Agent.

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#### APPENDIX 39.

*The Indians—Are they citizens—Effect of the fourteenth amendment to the Constitution—Report from the Senate Committee on the Judiciary—Indians still to be regarded as self-governing nations—Working of the new Indian policy.*

WASHINGTON, December 14.

The Senate Committee on the Judiciary to-day, through Senator Carpenter, made a report on the resolution adopted in April last, instructing them to inquire into and report the effect of the fourteenth amendment to the Constitution upon the Indian tribes of the country, and whether, by the provision thereof, the Indians are not citizens of the United States, and whether thereby the various treaties heretofore existing between the United States and the various Indian tribes are not annulled.

#### THE REPORT.

The committee say, in their opinion, the fourteenth amendment has no effect whatever upon the status of Indian tribes within the limits of the United States, and does not annul the treaties previously made. The committee quote so much of the amendment as is material to the question, and argue at length to show the legislation of Congress is based upon the same view which they present of the relations which exist



between the Government and the Indian tribes, making it plain that Congress has uniformly respected the right of the Indians to govern themselves. Instances of the principle are cited, and the committee say that, from a perusal of these statutes, it is manifest that Congress has never regarded the Indian tribes as subject to the municipal jurisdiction of the United States. On the contrary, they have been treated uniformly as nations, and in that character have been held responsible for the crimes and outrages committed by their members even outside of their territorial limits. And inasmuch as the Constitution treats the Indian tribes as belonging to the rank of nations and capable of making treaties, it is evident that any act of Congress which should assume to treat the members of a tribe as subject to the municipal jurisdiction of the United States would be unconstitutional and void. In the opinion of the committee, the Constitution and the treaties' act of Congress and the judicial decisions referred to all speak the same language upon this subject, and all point to the conclusion that the Indians in their tribal condition have never been subject to the jurisdiction of the United States in the sense in which the term "jurisdiction" is employed in the fourteenth amendment to the Constitution. The Government has asserted a political supremacy over the Indians, and the treaties and laws uphold these tribes as domestic and independent nations, separated from the States of the Union, within whose limits they are located, and exempt from the operation of State laws, and not otherwise subject to the control of the United States than is consistent with their character as separate political communities or States. Their right of self-government and to administer justice among themselves, after their own fashion, even to the extent of inflicting the death penalty, has never been questioned, and while the United States have provided by law for the punishment of crimes committed by Indians straggling from their tribes, and crimes committed by Indians upon the whites lawfully within the reservation, the Government has carefully abstained from attempting to regulate their domestic affairs and from the punishment of crimes committed by one Indian against another in the Indian country. Whenever we have dealt with them it has been in their collective capacity as a tribe, and not with their individual members, except when such members were separated from the tribe to which they belonged, and then we have asserted such jurisdiction as every nation exercises where the subject of another independent sovereign nation enters its territory and violates its laws.

#### STATUS OF SLAVES OF INDIANS.

During the war slavery had been abolished and the former slaves had become citizens of the United States, consequently in determining the basis of representation in the fourteenth amendment the clause "three-fifths of all other persons" is wholly omitted, but the clause "excluding Indians not taxed" is retained. The inference is irresistible that the amendment was intended to recognize the change in the status of the former slaves which had been effected during the war, while it recognizes no change in the status of the Indians. The Indians were excluded because they were not citizens.

#### INDIANS NOT CITIZENS.

For these reasons the committee do not hesitate to say that the Indian tribes within the limit of the United States and the individual members of the several tribes, while they adhere to and form a part of the tribes to which they belong, are not, within the meaning of the fourteenth amendment, subject to the jurisdiction of the United States, and, therefore, that such Indians have not become citizens of the United States by virtue of that amendment. The committee say that if they are correct in this conclusion it follows that the treaties heretofore made between the United States and the Indian tribes are not annulled by that amendment.

#### TREATY RELATIONS.

In conclusion the committee say it is pertinent to remark that treaty relations can properly exist only with Indians as tribes or nations, and that when the members of a tribe are scattered they are merged in the mass of our people, and become equally subject to the jurisdiction of the United States. It is believed that some treaties have been concluded and ratified with fragmentary and straggling bands of Indians who had lost all pretensions to the tribal character, and thus it is right to admonish the treaty-making power to use greater circumspection hereafter.



## APPENDIX 40.

## COMMISSIONER PARKER'S NOTICE TO SECRETARY OF BOARD TO VACATE ROOMS.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., May 27, 1870.

SIR: There is now present in this city an Indian delegation and another is expected in a few days. It will be necessary to meet these delegations in council, and as the room you occupy has generally been used for this purpose, I have to request that you will, as early as practicable, remove from said room your books and papers so that we may occupy it for consultations with said delegations. I have no other room connected with this Bureau that I can use for this purpose or I would not trouble you, nor have I any room available which I can place at your disposal, hence it will be necessary that you provide yourself with such room or rooms as may be suitable for your duties.

Very respectfully, your obedient servant,

E. S. PARKER,  
Commissioner.

VINCENT COLYER, Esq.,

Secretary Board of Indian Commissioners, present.

## APPENDIX 41.

WASHINGTON, D. C., April 21, 1870.

SIR: Permit me to call your attention to that portion of the report of the board of Indian commissioners (see page 109) on the condition of the Indian tribes of Alaska Territory which recommends that an appropriation of \$100,000 be made to provide schools of instruction in the primary branches of the English language, medical attendance, with sanitary supervision of their villages, and relief of extreme cases of destitution among the Indians in that Territory; the money to be expended under the general direction of the Secretary of the Interior.

This report has the approval of the board and is now officially presented to you, with the earnest prayer that it may meet with the favorable consideration of the Committee on Indian Affairs, and be by you submitted to the Senate for adoption.

Very respectfully, your obedient servant,

VINCENT COLYER.

Hon. J. D. COX, Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., April 22, 1870.

SIR: I have the honor to transmit herewith for your information a letter dated the 21st instant, from Vincent Colyer, esq., secretary of the board of Indian commissioners, together with the report therein referred to, in relation to the condition of the Indian tribes in Alaska, which Territory has not yet been organized in connection with the Indian service.

I take great pleasure in communicating the report of the commissioners, and concur in their recommendation that the sum of \$100,000 be appropriated for the benefit of the Indians in Alaska, to be expended for the objects named in the letter of Mr. Colyer.

Very respectfully, your obedient servant,

J. D. COX, Secretary.

Hon. JAMES HARLAN,

Chairman Committee on Indian Affairs, United States Senate.

## APPENDIX 42.

Copy of resolutions adopted by the meeting of settlers held at the Osage agency, on Drum Creek, Friday, September 2, 1870.

Whereas much hard feeling has arisen in consequence of the claims of Indians and half-breeds being jumped by white settlers, which is threatening to impede the treaty and removal of the Osage Indians from their lands: therefore be it

Resolved, That we, the citizens of Montgomery County, Kansas, denounce the action of said white settlers as detrimental to the interests of the citizens of said county, and cannot be tolerated.

Resolved further, That your committee recommend that the citizens of Montgomery County hereby pledge themselves to protect the Indians and half-breeds in their claims,

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and will stand by them in their rights until they have become citizens and acquired titles to their land, or have sold their claims to other parties and received pay for the same; and that any person or persons that shall molest or interfere with said claims or occupants, after being duly notified, and refuse or neglect to desist, shall be summarily ejected; and we will extend our protection to the purchasers of said claims.

*Resolved*, That an executive committee of five be appointed by this meeting to carry out these resolutions.

ASA HAIRGROVE, *Chairman*.

D. T. PARKER, *Secretary of Committee*.

*Names of committee*.—D. McTaggart, chairman, Liberty, Montgomery County, Kansas; J. Hamilton; W. W. Graham, county commissioner of this reserve; G. D. Baker, editor Parker Record; Colonel Coffee, merchant; Dr. Adams, ex-member Kansas legislature; J. D. Emerson, probate judge; C. White, sheriff of this reserve; Dr. Halstead.

Copy of a copy furnished to Major Gibson, Osage Indian agent, under instructions of a motion carried by the meeting, by G. D. Baker, secretary of meeting.



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